

Dissent

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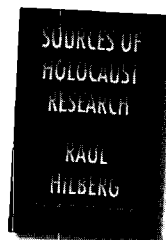
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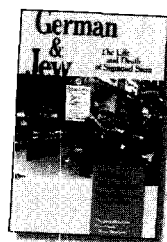
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Editor's Page

THIS SPECIAL ISSUE, long in preparation, concerns bloody business—although not Osama bin Laden's. It grapples, as Nicolaus Mills writes, with "the moral and political issues raised by the widespread mass killing and 'ethnic cleansing' in Bosnia, Rwanda, and East Timor". These "New Killing Fields" may have been displaced by Afghanistan in the news; their memory and the problems they pose must not be. *Dissent* offers some forceful takes on this past fall's painful events in a separate opening section. ■ Since September 11, I've pondered repeatedly a passage by Max Weber. You have a calling for politics, he wrote, only if you won't "crumble" before a world that seems "too stupid or too base" for what you want to offer it. A formidable warning. Nowadays it should trouble anyone who identifies him- or herself as "left." No, my politics hasn't transmuted. I'm "left" because I believe that liberty, equality, and solidarity—linked together sensibly if fitfully—should regulate any morally intelligent politics. But I also think that the responses to September 11 by parts of the left—Noam Chomsky, Edward Said, Alexander Cockburn, the "critical" minds who are always predictable—threaten to dissociate the word "left" from morally intelligent politics. One almost expects them to explain that bin Laden's crew attacked the World Trade Center because Thomas Jefferson owned slaves (sold to him, undoubtedly, by "Zionists"). ■ A rhetorical tactic is at play: always change the subject. Censure terror? Well, let's talk about "the real issue," globalization. Ask about a crisis within Islam? No, that's bigoted, let's discuss the "real" issue, Orientalism. ■ Hasn't the left been through something like this before—and been discredited by it? Confront Stalinist atrocities? Ummm. . . let's address "the real issues," czarism, capitalism, and imperialism. Changing the subject signifies evasion. Sometimes it's evasion of what means imply for ends and sometimes of the fact that the world doesn't always present to us comforting choices. ■ The Tobin tax was never the rational kernel within al Qaeda's murderous cells. Global inequalities, corporate power, social suffering, religious and racial bias—these are real, urgent issues. But if you treat terror as little more than an invitation, albeit irksome, to talk about them, you won't, and should not, have credibility. George W. Bush, under cover of the war, is facilitating profoundly regressive economic policies. We need credible critics. The attorney general, a zealot, is fashioning some disquieting measures in the name of security. They cannot be challenged credibly by anyone who treats terror and public safety as non-issues, distractions from what he or she wants to offer the world.

M.C.

Winter 2002

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PHOTOGRAPHS: Cover: top left, Bosnian soldiers at funeral of slain comrade; top right, Bosnian Muslim being prepared for burial; prisoners at Trnopolje camp in Bosnia; p. 18, defaced portrait found in looted and ransacked home of a Bosnian family in a Sarajevo suburb; p. 144, street sign in Croatia. All photographs by Ron Haviv/VII

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AFTER GENOA AND 9 / 1 1

What New Politics for Social Movements and the Left?

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Five Questions About Terrorism

Michael Walzer

THIS IS NOT going to be a straightforward and entirely coherent argument. I am still reeling from the attacks of September 11, and I don't have all my responses in order. I will try to answer five questions about terrorism. Whether the answers add up to a "position"—theoretical or practical—I will leave to the reader.

- (1) What is terrorism?
- (2) How should we go about explaining it?
- (3) How is it defended or excused?
- (4) How should we respond?
- (5) What will be the signs of a successful response?

(1) What is it? It's not hard to recognize; we can safely avoid postmodernist arguments about knowledge and truth. Terrorism is the deliberate killing of innocent people, at random, in order to spread fear through a whole population and force the hand of its political leaders. But this is a definition that best fits the terrorism of a national liberation or revolutionary movement (the Irish Republican Army, the Algerian National Liberation Front [FLN], the Palestine Liberation Organization, the Basque Separatist Movement, and so on). There is also state terrorism, commonly used by authoritarian and totalitarian governments against their own people, to spread fear and make political opposition impossible: the Argentine "disappearances" are a useful example. And, finally, there is war terrorism: the effort to kill civilians in such large numbers that their government is forced to surrender. Hiroshima seems to me the classic case. The common element is the targeting of people who are, in both the military and political senses, noncombatants: not soldiers, not public officials, just ordinary people. And they

aren't killed incidentally in the course of actions aimed elsewhere; they are killed intentionally.

I don't accept the notion that "one man's terrorist is another man's freedom fighter." Of course, the use of the term is contested; that's true of many political terms. The use of "democracy" is contested, but we still have, I think, a pretty good idea of what democracy is (and isn't). When communist Bulgaria called itself a "people's democracy," only fools were fooled. The case is the same with terrorism. In the 1960s, when someone from the FLN put a bomb in a café where French teenagers gathered to flirt and dance and called himself a freedom fighter, only fools were fooled. There were a lot of fools back then, and back then—in the sixties and seventies—was when the culture of excuse and apology was born (but I want to deal with that later).

(2) How should we go about explaining terrorism—and particularly the form of terrorism that we face today? The first thing to understand is that terrorism is a choice; it is a political strategy selected from among a range of options. You have to imagine a group of people sitting around a table and arguing about what to do; the moment is hard to reconstruct, but I am sure that it is an actual moment, even if, once the choice is made, the people who opposed terror are commonly killed, and so we never hear their version of how the argument went. Why do the terrorists so often win the argument? What are the political roots of terror?

I don't think that a simple materialist explanation works, though there has been a lot of talk in the last couple of months about the human misery, the terrible poverty, the vast global inequalities in which terrorism is "ultimately rooted." Also about the terrible suffering, as someone wrote in one of our weeklies, endured by "people all over the world who have been the

victims of American military action—in Vietnam, in Latin America, in Iraq...” The author of those words doesn’t seem to have noticed that there are no terrorists coming from Vietnam and Latin America. Misery and inequality just don’t work as explanations for any of the nationalist terrorist movements and certainly not for Islamic terror. A simple thought experiment in comparative politics helps explain why they don’t work. Surely it is Africa that reveals the worst consequences of global inequality, and the involvement of the West in the production and reproduction of inequality is nowhere more evident. There is a lot of local involvement too, many African governments are complicitous or directly responsible for the misery of their own people. Still, the role of the West is fairly large. And yet the African diaspora is not a friendly sea in which terrorists swim. And the same thing can be said for Latin America, especially Central America, where U.S. companies have played a significant part in exploiting and sustaining poverty; and yet the Latin diaspora is not a friendly sea. We need another explanation.

WE NEED A combined cultural-religious-political explanation that has to focus, I think, on the creation of an Enemy, a whole people who are ideologically or theologically degraded so that they are available for murder: that’s what the IRA did to Irish Protestants, the FLN to French Algerians, the PLO to Israeli Jews. This kind of Enemy is the special creation of nationalist and religious movements, which often aim not only at the defeat but at the removal or elimination of the “others.” Wartime propaganda commonly has the same effect, demonizing the other side, even when both sides expect the war to end with a negotiated peace. Once the Enemy has been created, any of “them” can be killed, men, women, or children, combatants and noncombatants, ordinary folk. The hostility is generalized and indiscriminate. In the case of Islamic terrorism, the Enemy is the infidel, whose world leader is the United States and whose local representative is Israel.

Islamic terrorists don’t call themselves freedom fighters; they have a different mission: to restore the dominance of Islam in the lands of Islam. Osama bin Laden, in the speech he de-

livered on video shortly before (it was broadcast after) the September 11 attacks, spoke about eighty years of subjection, which takes the story back to the establishment of European protectorates and trusteeships in the Middle East after World War I; the effort to create a Christian state in Lebanon; the effort to set up Western-style constitutional monarchies and parliamentary republics in the Arab world; the establishment of Israel as a Jewish state after the Second World War; and then the long series of military defeats from 1948 to 1991, not only in the Middle East but in East Asia, all of them experienced as terrible humiliations, at the hands of Jews, Hindus, and Americans, who are not supposed to be warrior peoples at all.

But the military defeats are part of a larger story of the failure of state building and economic development in most of the Islamic world. The fundamentalist religious response to modernity, which is common across all the major world religions, comes up here against governments that are very far from admirable representatives of modernity: secular governments often, or governments that are ready for accommodation with the West and eager to absorb the latest technologies, but at the same time brutal, repressive, corrupt, authoritarian, unjust . . . and unsuccessful in providing either the symbols or the substance of a decent common life. And some of these governments, in order to maintain their own power, sponsor a kind of ideological and theological scapegoating, directed against external enemies: Israel, America, the West generally, who are blamed for the internal failures. Some of these governments are our allies, Islamic moderates or Arab secularists, but they have yet to take on the extremists in their midst; they have yet to commit themselves to an open struggle against the theological radicalism that inspires the terrorist networks. Jihad is a response not only to modernity but also to the radical failure of the Islamic world to modernize itself.

Earlier terrorist campaigns are also explicable, in part, by the internal authoritarianism and weakness of the “liberation movement,” in this case, its refusal or inability to mobilize its own people for other kinds of political action. Terrorism, after all, doesn’t require mass mobilization; it is the work of a tiny elite of militants,

who claim to represent “the people” but who act in the absence of the people (that’s why classical Marxism was always hostile to terrorism—the reason, alas, was strategic, not moral). When someone like Gandhi was able to organize a nonviolent mass movement for national liberation, there was no terrorism.

(3) **How is terrorism defended?** In certain extremist Islamic groups today there is a straightforward defense, which is also a denial: there are no innocent Americans, hence attacks like those of September 11 are not terrorist in character. But the arguments that I want to consider are of a different sort: they don’t justify the acts that we call terrorism. Instead, they are expressions of what I have already described as a culture of excuse and apology. There are basically two kinds of excuses. The first looks to the desperation of the “oppressed,” as they are called (and as they may well be): terror, we are told, is the weapon of the weak, the last resort of subject nations. In fact, terror is commonly the first resort of militants who believe from the beginning that the Enemy should be killed and who are neither interested in nor capable of organizing their own people for any other kind of politics: the FLN and the PLO resorted to terror from the beginning; there was no long series of attempts to find alternatives. And as we have seen, there is at least one alternative—nonviolent mass mobilization—that has proven itself a far more effective “weapon of the weak.”

The second kind of excuse looks to the guilt of the victims of terrorism. Here is how it works for Americans: we fought the Gulf War, we station troops on the sacred soil of Saudi Arabia, we blockade and bomb Iraq, we support Israel—what do we expect? Of course, the September 11 attacks were wrong; they ought to be condemned; but—a very big “but”—after all, we deserved it; we had it coming. Generally, this argument comes from people who before September 11 wanted us to stop protecting the Kurds in northern Iraq, to stop supporting Israel, and to get out of Saudi Arabia; and now they see a chance to use Islamic terrorism as a kind of “enforcer” for their own political agenda. They attribute their agenda to the terrorists (what else could terrorists have in mind but what Western leftists have always advocated?), and

then call for a policy of appeasement in order to avoid further attacks. That is a policy, it seems to me, that would begin with dishonor and end in disaster. But I won’t talk about that now; I want simply to deny the moral legitimacy of the excuse. Even if American policies in the Middle East and in East Asia have been or are wrong in many ways, they don’t excuse the terrorist attack; they don’t even make it morally comprehensible. The murder of innocent people is not excusable.

(4) **How should we respond?** I want to argue for a multilateral response, a “war” against terror that has to be fought on many fronts. But who is the enemy here? Is it the people who planned or sponsored or supported the September 11 attacks or is it any and all other groups that practice a terrorist politics? I suggest that we think in terms of an analogy with humanitarian intervention. We (the United States, the United Nations, the North Atlantic Treaty Organization, the Organization of African Unity, and others) intervene, or ought to intervene, against genocide and “ethnic cleansing” wherever they occur. There are, of course, many different political and religious doctrines that inspire genocide and ethnic cleansing, and each intervention is distinct; each one requires its own calculations of morality and prudence. But our commitment should be general. The case is the same with terror: there are many terrorist ideologies and many terrorist organizations. We should oppose them all, but the different engagements will have to be considered one by one. We should imagine the “war” as including many possible engagements.

“War” is a metaphor here, but real war is a necessary part of the metaphorical “war.” It may be the only part to which the frequently invoked doctrine of “just war” applies; we will have to look for other, though not unrelated, kinds of ethical guidance on the other fronts. The question about justice in the real war is a familiar one, and so is the answer—though the answer is easier in principle than in practice. In fighting against terrorists, we must not aim at innocent people (that’s what the terrorists do); ideally we should get close enough to the enemy, or to his supporters, so that we are quite sure not only that we are aiming at them but also

that we are hitting them. When we fight from far away, with planes and missiles, we have to get people in, on the ground, to select the targets, or we have to have very good intelligence; we must avoid overestimating the smartness of our smart bombs. Technological hubris isn't, I suppose, a crime, but it can lead to very bad outcomes, so it is better to leave a wide margin for error. And, finally, because even if we do all these things, we will still be imposing serious risks on the civilian population, we must reduce those risks as far as possible—and take risks ourselves in order to do that. This last is the hardest thing I have to say, because I'm not the one who will have to take those risks. The proportionality rule is commonly invoked here: civilian deaths and injuries, euphemistically called “collateral damage,” should not be disproportionate to the value of the military victory that is being sought. But because I don't know how to measure the relevant values or how to specify the proportionality, and because I don't think that anyone else knows, I prefer to focus instead on the seriousness of the intention to avoid harming civilians, and that is best measured by the acceptance of risk.

Assuming that we correctly identified the terrorist network responsible for the September 11 attacks and that the Taliban government was in fact its patron and protector, the war as a whole is certainly a just one (whether it is a prudent one was a much harder question last fall). The point of the war is prevention above all: to destroy the network and stop the preparation of future attacks. We shouldn't, in my view, think of the war as a “police action,” aimed at bringing criminals to justice. We probably don't have the evidence to do that; and it may well be the case that evidence collected by clandestine means or by armed force in distant countries, evidence that doesn't come from official archives, such as the German records that figured in the Nuremberg trials, but from e-mail intercepts and similar unofficial sources, would not be admissible in an American court—and probably not in international courts either, though I don't know what rules of evidence apply in The Hague. In any case, do we really want trials now, while the terrorists networks are still active? Think of the hostage-takings and bomb threats that would almost cer-

tainly accompany them. The use of military courts would avoid these difficulties, because the rules of evidence could be relaxed and the trials held in secret. But then there will be costs to pay in legitimacy: for justice, as the saying goes, must not only be done, it must be seen to be done; it must be seen *being* done. So . . . there may be trials down the road, but we shouldn't focus on them now; the first object of the “war” against terrorism is not backward looking and retributive, but forward looking and preventive. If that's the point, then there is a sense in which Afghanistan is a sideshow, however necessary it is, however much attention the media give it, however focused on it our diplomats and soldiers have to be.

The most important battle against terror is being waged right here, and in Britain and Germany and Spain, and other countries of the Arab and Islamic diaspora. If we can prevent further attacks, if we can begin to roll up the terrorist cells, that will be a major victory. And it is very, very important, because “successes” like September 11 have energizing effects; they produce a rush of recruits and probably a new willingness to fund the terrorist networks.

POLICE WORK is the first priority, and that raises questions, not about justice, but about civil liberties. Liberals and libertarians leap to the defense of liberty, and they are right to leap; but when they (we) do that, we have to accept a new burden of proof: we have to be able to make the case that the necessary police work can be done, and can be done effectively, within whatever constraints we think are required for the sake of American freedom. If we can't make that case, then we have to be ready to consider modifying the constraints. It isn't a betrayal of liberal or American values to do that; it is in fact the right thing to do, because the first obligation of the state is to protect the lives of its citizens (that's what states are for), and American lives are now visibly and certainly at risk. Again, prevention is crucial. Think of what will happen to our civil liberties if there are more successful terrorist attacks.

Covert action is also necessary, and I confess that I don't know what moral rules apply to it. The combatant-noncombatant distinction is crucial to every kind of political and military

activity; beyond that it is hard to know. Moral argument requires its cases, and here the cases are, deliberately and presumably rightly, concealed from view. Perhaps I can say a word about assassination, which has been much discussed in recent months. The killing of political leaders is ruled out in international law, even (or especially) in wartime—and ruled out for good reason—because it is the political leaders of the enemy state with whom we will one day have to negotiate the peace. There are obvious exceptions to this rule—no one, no moral person, would have objected to an allied effort to assassinate Hitler; we were in fact not prepared to negotiate with him—but ordinary political leaders are immune. Diplomats are immune for the same reason: they are potential peacemakers. But military leaders are not immune, however high they stand on the chain of command. We have as much right to shell the enemy army's central headquarters as to shell its frontline positions. With terrorist organizations, this distinction between military and political leaders probably collapses; the two are hard to mark off, and we are not planning on negotiations. At any rate, it would seem odd to say that it is legitimate to attack a group of terrorists-in-training in a camp in Afghanistan, say, but not legitimate to go after the man who is planning the operation for which the others are training. That can't be right.

Diplomatic work comes next: right now it is focused on building support for military action in Afghanistan and for some kind of future non-Taliban regime. But over the long run, the critically important task will be to isolate and punish states that support terrorism. The networks look transnational; they exploit the globalist modernity that they so bitterly oppose. But make no mistake: neither the transnational networks, nor most of the more provincial ones, could survive without the physical shelter, the ideological patronage, and the funding provided by such states as Iran, Syria, Libya, and others. We are not going to go to war with those states; there is no *causus belli*, nor should we look for one. But there are many forms of legitimate political and economic pressure short of war, and it seems to me that we have to work hard to bring that kind of pressure to bear. This means that we have to persuade other countries—our allies in many cases, who have closer ties than we do with ter-

rorist states and whose leaders have not been heroes in these matters—to bring pressure of their own to bear and to support disinvestment, embargo, and other sanctions when they are appropriate.

WAR, POLICE WORK, covert action, and diplomacy: all these are tasks of the state. But there is also ideological work, which can't and shouldn't be directed or organized by the state, which will only be effective if it is carried on freely—and that means in the usual democratically haphazard and disorderly way. I suppose that the state can get involved, with the Voice of America and other media. But what I have in mind is different. Secular and religious intellectuals, scholars, preachers, and publicists, not necessarily in any organized way, but with some sense of shared commitment, have to set about delegitimizing the culture of excuse and apology, probing the religious and nationalist sources of terror, calling upon the best in Islamic civilization against the worst, defending the separation of religion and politics in all civilizations. This sort of thing is very important; argument is very important. It may sound self-serving for someone who makes his living making arguments to say this, but it is true nonetheless. For all their inner-directedness, their fanatical commitment and literal-minded faith, terrorists do rely on, and the terrorist organizations rely even more on, a friendly environment—and this friendly environment is a cultural/intellectual/political creation. We have to work to transform the environment, so that wherever terrorists go, they will encounter hostility and rejection.

(5) What will be the signs of a successful response? How will we know when we have won this "war"? We have already been told by the secretary of defense that we are not going to get the conventional signs: formal surrender, signatures on a peace treaty. The measure of success will be relative: a decline in attacks and in the scope of attacks; the collapse of morale among the terrorists, the appearance of informers and defectors from their ranks; the rallying of opportunists, who have the best nose for who's winning, to our side; the silence of those who once made ex-

cuses for terror; a growing sense of safety among ordinary people. None of this is going to come quickly or easily.

There is one more measure: our ability to shape our foreign policies, particularly toward the Islamic world, without worrying about the terrorist response. Right now, we have to worry: we cannot do things that would lead someone like bin Laden to claim a victory, to boast that he had forced our hand. We have to walk a fine line: to sustain a defensible policy with regard, say, to the blockade of Iraq, the Arab-Israeli conflict, and the Kashmir dispute, and not to do anything that can plausibly be construed as

appeasement. There are American policies (not only in the Islamic world, but globally as well) that should be changed, but in politics one must not only do the right thing, one must do it for the right reasons, the attacks of September 11 are not a good reason for change. One day we will be free of this kind of constraint, and that will be another way of knowing that we have won. ●

MICHAEL WALZER is co-editor of *Dissent* and author, among many works, of *Just and Unjust Wars*. This article is adapted from a talk given at the *Dissent* editorial board meeting in November 2001.

RESPONSES

Leo Casey

VIEWED FROM inside "history in the making," a place where Americans now dwell, September 11 appears as a day that marked a radical change in our world. When we finally went to sleep that night, it seemed that a familiar way of life was irrevocably gone, and that a new one we did not fully comprehend had taken its place. But like many an epoch-defining date, September 11 signifies not the sudden birth of a new world, but the appearance, in dramatic relief, of a gradually emerging new order. The mass murders of that day forced us to recognize the immediacy and gravity of political dangers that we knew existed, but had still largely discounted. Today, we know there is no more urgent matter before us.

Michael Walzer sketches a compelling political perspective on the issues we now face. Our first priority, he and I agree, must be to eliminate the capacity for the Taliban and al Qaeda to sponsor future September 11s. The old injunction of Mother Jones, "Pray for the dead, and fight like hell for the living," has particular resonance here. This "war" must be fought on a number of different fronts: diplomatic, economic and financial, domestic security, international public opinion, and military. A sensible and principled course must be steered between a "just say no" antiwar movement opposed to any meaningful use of force

against the Taliban and al Qaeda and an "anything goes" jingoism prepared to countenance any military action. By contrast, our support of the use of armed force is made in the context of this broader campaign, as the military option cannot succeed by itself. In addition, it requires that all reasonable precautions be taken to protect innocent life. Finally, Walzer and I agree that intellectuals of the democratic left must challenge what he aptly calls "a culture of excuse and apology" for acts of terror that has arisen in parts of the academic and organizational left.

Where I dissent from Walzer's formulation is his identification of the enemy as "terrorism." Terrorism is a means to a political end, not a political end in itself. It is possible, although rare, for acts of terror to occur in the name of political causes we would otherwise consider just, such as the firebombing of Dresden and Hamburg and the dropping of atomic bombs on Hiroshima and Nagasaki during the struggle against fascism. But the systematic use of and continual reliance upon terror is a distinct feature of totalitarian movements and states, as Hannah Arendt noted in her classic study of the subject. The mass murders of September 11 are the face of a twenty-first century totalitarianism, and it will better suit the protracted struggle to identify the enemy by that name, rather than

by a description of the means it employs.

Political clarity on the nature of this enemy is vital. Although it serves a rhetorical purpose to describe the Taliban and al Qaeda as “fascism with an Islamic face,” as one commentator did, the totalitarian threat is not secular—as were its fascist and communist antecedents—but theocratic. And it has not arisen exclusively in the Muslim world and among Islamic faith communities, but is manifest in every part of the world and in every religious faith. It appears in such seemingly unconnected forms as the Japanese Aum Shinrikyo, which killed eleven people in a largely failed attempt to flood the Tokyo subways with sarin nerve gas, and the Lord’s Resistance Army, a murderous cult of Christian origins in northern Uganda. Moreover, it is by no means a purely external threat for Americans. The mass murder that resulted from the bombing of a federal office building in Oklahoma City and the campaign of terror that has been conducted against doctors and clinics providing abortions are not the work of Islamic totalitarians.

Over the long term, we must grapple with

some difficult questions. Why has a new form of totalitarianism arisen at this historical moment, just when it seemed that fascism and communism were behind us? Why has this totalitarianism taken theocratic forms, becoming ever more extreme in its apocalyptic “propaganda of the deed” and ever more intrusive in the controls it attempts to impose on the daily lives of people? What is the fertile ground on which these movements grow, and what can be done to plow it with salt? To what extent is the expanding global economy part of this ground, and not simply because of its radical economic inequalities, but also because of the loss of embedded meaning and the evisceration of community that accompany it? What must be done to nurture democratic values and practices in the cultures where this new totalitarianism has taken root? Together, we must find the answers to these questions. ●

LEO CASEY is a longtime political activist on the democratic left who serves as Special Representative for High Schools at the United Federation of Teachers.

Michael Kazin

IT’S NEVER A good idea to refight the last big war. But perhaps one can learn a lesson from it. The atmosphere of American politics since September 11 bears an uncomfortable resemblance to that of the cold war, particularly during such anxious episodes as the Cuban missile crisis, the Tet Offensive, and the conflict over Euromissiles. Once again, grim-faced federal officials vow to defeat totalitarian evil-doers and fret about how to counter the enemy’s appeal to poor and angry people in the third world. Once again, leftists point to a long history of U.S. policy blunders and brutalities to explain, if not excuse, the mass sympathy that allows networks of violent men to thrive.

The beliefs of Muslim terrorists who long to reestablish the caliphate obviously clash with those of Leninist revolutionaries who fought for an egalitarian, secular utopia—and even more with those of Brezhnev-era bureaucrats who acted mainly to secure and extend their creaky empire. In fact, if Afghan communists,

with Soviet backing, hadn’t taken power in Kabul in 1979, Osama bin Laden might be known, if at all, only as a fierce opponent of the Saudi regime that rules his homeland.

But there’s no escaping the irony that the United States is now engaged in a new kind of global struggle against would-be saviors of “the wretched of the earth,” who helped speed the demise of the last historical forces to claim that title. And, again, it will be difficult to separate (and foolish to minimize) the battle of ideas from the military confrontations in which Americans mistakenly define victory as the ability to destroy targets and kill soldiers.

Michael Walzer understands this. Toward the end of his argument, he mentions the ideological work to be accomplished, the undermining of the friendly environment that makes cold-blooded murderers appear like “freedom fighters,” or at least like symbolic redressers of wounds that never heal. But the main purpose of his piece is to rebut leftists in the United States and other rich nations who seek

to shift blame from the stateless bombers of the twin towers and Pentagon to the statesmen who have directed the bombing of Kabul and Kandahar.

Much of the response to the attacks of September 11 on the part of the American and West European left has indeed been myopic and shameful. Nothing the United States has done or failed to do in the world can mitigate, in the slightest, the utter malevolence of that high-speed, well-organized slaughter of innocents. Yet, one does not defeat a political enemy merely by establishing the immorality of his acts. The short-sighted left only repeats, albeit in secular language, a list of grievances against Euro-America and Israel that Arabs and other Muslims have been updating for decades. That critique is, in many particulars, masochistic, bigoted, and one-sided. But, it remains, at root, a critique of imperialism and, as such, is not so different from the arguments hurled by Leninist regimes and militants during the cold war.

How were those forces defeated? The USSR's debacle in Afghanistan notwithstanding, battle losses had remarkably little to do with it. Communists and their allies in the third world proved themselves to be resilient warriors capable of winning the sympathy of first world liberals. And the Soviet military, despite its problems, survived the collapse of the political system it was created to defend.

The cold war ended only when, to borrow a maxim from Lenin (for a purpose he would have abhorred), communists were no longer able to rule in the old way, and inhabitants of the "socialist world" refused to live in the old way. Inside the Soviet bloc, increased knowledge about capitalist societies that both created wealth and, at least in Western Europe and Canada, guarded social welfare gradually undermined the ideology of sacrifice for a future collective paradise, even among the rulers themselves. In Indochina, party officials who had led a victorious war against the American military were soon courting American business to rescue their economies. For better and worse, the allure of Western modernity—its commodities, its cultural tolerance, its competitive individualism—reduced the communist alternative to ashes.

Radical Islam may be a more durable opponent. Messianic religious faith has deeper historical roots than does the secular variety and is less amenable to counter-arguments based on material concerns. But an ideology that sanctifies suicide and whose vision of the future is a mythical past is capable only of destroying a society, not of building a stable or prosperous one. The masses of young people from Algeria to Pakistan who lack secure jobs and an adequate education need a vision to live for instead of a cause to die for.

At the same time, martyrdom, whether actual or metaphorical, may remain attractive as long as the United States and its allies make no serious attempt to address the grievances that bin Laden and his supporters have been quite skillful at articulating. Our government and the corporations whose investments it protects *have* propped up corrupt monarchies and single-party autocracies. Most Americans, together with our government, *do* excuse the Israeli occupation of the West Bank and Gaza that prevents the establishment of a viable Palestinian state, without which no peace in the region is conceivable. There are geopolitical reasons for these policies, of course, but they make it hard to counter the charge that Americans who profess to believe in democracy and self-determination are really just imperial hypocrites.

Michael Walzer may consider my brief critique during just war a form of appeasement. Instead, I see it as a practical response as well as a moral one to the ideological threat posed by an enemy whose popularity in the Muslim world both alarms and confuses us. Despite the best efforts of canny liberals and democratic socialists, it took years before Western regimes learned how to counter the appeal of the totalitarian left. If we hope to avoid another long and brutal war against totalitarian Islam, we had better focus on changing minds as well as dropping bombs and dispatching troops. ●

MICHAEL KAZIN teaches history at Georgetown University and is a member of the *Dissent* editorial board. His most recent book, co-authored with Maurice Isserman, is *America Divided: The Civil War of the 1960s*.

James B. Rule

THE TERRORIST ATTACK on September 11 evidently had two purposes. First, to inflict on ordinary Americans pain of the sort widely meted out to other civilian populations around the world by those who oppose their governments. Second, to polarize the situation between the elite United States interests and militant Islamicists, eliminating as much as possible any middle ground. Lamentably, the first of these aims succeeded fully and the second, substantially.

The perpetrators of the attack deserve a commensurate response—coercive, deadly, and precisely targeted to those responsible. This is not to say that any and all military action to follow from the United States is warranted. George W. Bush's announcement that the country was at war—without specifying the exact enemy, the form of the combat, or the nature of the victory being sought—was scary. We on the left should know better than to give blanket endorsement to such vague projects. The initial broad support for American retaliation, both here and abroad, will evaporate—and with good reason—if the riposte ends up striking all sorts of innocent figures, while missing the perpetrators.

But we should not be afraid to back a deadly response to those who murder Americans. Michael Walzer is right about one thing: no conceivable changes in American foreign policy could ever satisfy all would-be authors of terrorist actions. There are too many of them, and they come from too many ideological directions. We must never imagine that somehow cleaning up America's domestic or international stance will relieve us of any need to respond to terrorist acts.

Nor should this need cause us to suspend our critical faculties—and our critical stance—regarding America's far-reaching role in the world. That is where Walzer's analysis fails us. When he speaks of terrorism as the world's new scourge, he seems to be thinking only of terrorist activities emanating from one source. In fact, America itself has been and remains a prolific source of terrorist activities—that is, coercive acts against civilian populations as a

political tool—all around the world. Perpetrators include Americans themselves, their surrogates, and surrogates of their surrogates. Have we forgotten what American forces did in Vietnam—the killings and other violent intimidations aimed at “drying up the support” among the peasantry for an enemy that we could not defeat in the field? One of the many living participants in such actions against unarmed civilians, Bob Kerrey, now heads a major institution of higher learning in New York. When his actions surfaced in national debate last year, the consensus seemed to be that war is hell, and no one could properly attribute responsibility in such matters who had not experienced the situation first hand. I disagree.

BUT THE SALIENT case, in today's international context, is America's ally and protégé, Israel—a country whose very creation required violence and intimidation to cleanse its territories of people of the wrong ethnicity. Since then, both the winners and losers in this territorial struggle have imposed suffering on noncombatant civilians, in hopes of altering the calculations of the other side's leaders. The litany of this unholy tit for tat—from extermination of civilians on airliners and in refugee camps to attacks on the homes and lives of persons believed associated with activists from the other side—is too heart-breaking to detail here. The theme never changes: make life intolerable for the civilians on whom your armed enemies depend, and you will succeed in undermining those at the top. This ghastly logic makes it inevitable that the costs of the activists' ambitions are paid by ordinary people whose only interest may be to keep their heads down.

Amos Elon, in a despairing commentary, describes the mode of Israel's attacks: “when missiles from the latest-model jet planes, tanks and helicopter gun ships hit Palestinians, indiscriminately, in frequent, grossly excessive punitive raids”; he then goes on to detail similarly horrific actions against civilians from the other side. No need to state the source of the Israeli firepower involved. At last count, the

"second Intifada" has reaped a harvest of at least 602 Palestinian and 169 Israeli deaths. Can any reasonable person maintain that even a majority of either group of victims represented a deadly threat?

Israeli reliance on terrorism ought to disturb us particularly, but not because it's worse than other terrorism. It's not. It should disturb us because we American citizens are paying for it, via our tax dollars. As in Vietnam, El Salvador, Nicaragua, Colombia—and I fear, many other places—America has bankrolled and encouraged forces relying on violence and intimidation against civilians. The United States could have pulled the plug on terrorism in these places. It still can, where it continues. But it doesn't.

So let us by all means seek to eradicate terror wherever we find it—especially when we or those depending on us are the perpetrators. The United States should convincingly and dramatically renounce terror as an instrument of national policy everywhere and anywhere. If America were seen decisively to cut off support to forces relying on terrorism throughout the world, one result might just be to make such actions less attractive to other players. But the hope of such results should not be the reason for taking such a step. The reason should be that terror is an intolerable instrument for political action—wherever it occurs. ●

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Ann Snitow

HERE ARE FIVE tangential responses to Michael Walzer. (1) Remember, in 1989, the left's hope that the end of the cold war might bring a "peace dividend," an economy less dependent on war? Those hopes died in Yugoslavia, Somalia, and Rwanda. And the left—like everyone else—began bickering about *which* wars we should fight. In this atmosphere, conservative politicians faced little opposition in constituting the United States as a benevolent world policeman. In the panic of the moment, it's easy to lose sight of antimilitarism as one of the left's long-term values. But, after September 11, a nascent peace movement is growing among a wide constituency of alarmed U.S. citizens. Some of them are repeating ritualistic gestures of the past and aren't able to orient themselves to the changes since 1989, but others are actively groping for new ideas. I think we should join in their search for a new internationalism, more reasoned and productive than constant threats of war. We should stand with those people afraid of stray nuclear devices, afraid of our continued reliance on rogue states as our front-line fighters, guilty about the deaths that are usually so far away, and depressed by how each war seems to create the next one. We can, and should, be critical of how these

new movements evolve. However, let's not give any comfort to those who would dismiss an antiwar position as necessarily utopian, naive, anti-American, traitorous, too late, or beside the point. Let's not assume that calls for other than military solutions are capitulation to terrorism. Terrorists don't want peace. To them, our pumped-up public panic, our new, exaggerated feelings of powerlessness, and the consecration of what at times seems like the entire U.S. budget to security are all proofs of their success. Isn't "Peace with Justice" (a call that just now sounds abstract and hopeless) still an idea worth elaborating on and imagining as a thinkable goal?

(2) Let's insist on a just and immediate Israeli/Palestinian peace. It disturbs me that insisting on the continued urgency of this could be seen as appeasement. If we can't urge the right thing now because it will *look* as if we're doing it for the wrong reason, we are merely accepting another excuse for delay. The urgency of a Middle East compromise is one of the things we should consider as *not* having changed since September 11. (Another variation on this theme: Imagine if we were to dismiss President Bush's newfound interest in the rights of Afghani women as merely cynical and manipulative, a right policy adopted for a wrong

reason in reaction to terrorism, and therefore not worth endorsing and pushing further.)

(3) In all conflicts, there's a hidden temptation to marry the enemy, to meet him, in this case literally, on his own ground. They say good sons go happily to their deaths. We agree, arguing that good sons (and now daughters) must accept the risk of death if our nation is to act morally. The enemy uses reductive categories, so we do, too, as if we fear that zero tolerance for terrorism can't be maintained if we seek to understand the other's pain or reasons. In a strange slide, trying to understand the complexity of our situation and to imagine the social reality of the enemy leads to "the culture of excuse." In this unshaded mental universe, each side believes in its own inherent goodness. Each is the light, the opposite of the other's darkness. I suggest a divorce from the enemy: the best resistance to repressive fundamentalism and to the false universals of jihad is an active resistance to a monoculture of consent to war.

(4) Blaming U.S. foreign policy for September 11 is not only morally obnoxious but also a dangerous simplification of the new difficulties facing a realigning, post-1989 world. Zero tolerance, while necessary, must include zero tolerance for state terrorism and for acts of war with terrorist effects, the displacement and starvation of mass populations. Zero tolerance for terrorism is right, and the logical principle stretches out to include a general critique of most of the wars fought since World War II.

(5) I used to think that it would be good to start forgetting World War II. All those fiftieth anniversaries signaled that the great, just war was receding into the past, the war whose existence has complicated all subsequent efforts to build movements for disarmament. In any discussion of peace, someone evokes the need to be ready for another Hitler. Indeed, movements toward demilitarization must include an account of security, of how a state will perform what Walzer says is its most basic function, protection. But protection of quality of life can never be merely military protection; the left has always wanted more, including safeguards against untrammelled state power. I'd hoped that, as the memory of heroic militarism

dimmed, "protection" might come to mean other things, for example taking action against the kinds of disparities in wealth that are the most likely reasons for future violence. Now, though, I want World War II back again as a heuristic device. One reason the cold war was possible was that cold warriors remembered Stalingrad and Normandy, the blitz and Dresden. They had the good sense to be afraid of the bombs they had just seen go off in Japan. The rigid structures of the cold war held because World War II was a mass trauma. Americans, too, suffered. No one was willing to indulge in such widespread devastation again. As we go to press, our dangerous allies, the Northern Alliance, have just entered Kabul in triumph. If our attack on Afghanistan turns out to be another of our little wars (Grenada, Belgrade) followed by the public relations claim of success without much loss, then to remember the devastations of more than fifty years ago will have been pointless. The United States will get away with the war in the court of U.S. public opinion. Once more our might and sense of superiority will seem justified. Once again we will have watched terrible suffering through the wrong end of a telescope. But if this war in Afghanistan is the beginning of our next long-term engagement with a complex and wide-ranging "evil empire," then we have to ask, does the U.S. have the cultural and economic vitality to survive this time around as a democracy? Can our institutions be sustained through those years of proxy wars among client states, the stockpiling of weapons of mass destruction, the ever more efficient domestic surveillance? We don't fear war enough; we should fear war more. Fear is neither cowardice nor capitulation. It arises from a mature assessment of new dangers we hardly yet understand: terrorism, with its reasons, its many different faces, its disturbing instabilities. In this situation, military restraint—along with an urgent quest for other means of engagement—is both strategically sound and morally right. ●

ANN SNITOW, a professor at New School University, is a founder of the Network of East-West Women.

Michael Walzer Replies

I HAVE NO SERIOUS disagreements with Leo Casey or Michael Kazin. Casey's description of religious totalitarianism as the real enemy is persuasive. I will continue to argue for the condemnation of terrorism, whoever uses it, and for a general "war" against it. But we do have to focus first on the primary users, whom he has, I think, correctly identified. Kazin's argument for policy changes by the United States does not strike me as an argument for appeasement; I will say something about the specific case of Israel and Palestine in a moment.

Ann Snitow stops too soon; I disagree with her comments more because of what she doesn't say than because of what she does. She wants military restraint and an "urgent quest for other means of engagement." But she offers no description of, not even a suggestion about those other means, hardly a clue, in fact, as to what they might be. I fear she is on one of those mythical quests. I agree that it's not, or not necessarily, "capitulation" to call for "other than military solutions," but there is no call here for anything that resembles a solution. Our country faces real dangers, frightening dangers, and if we on the left claim to be politically serious, we have to look for ways of dealing with them. Making it impossible to train terrorists and to plan future attacks in Afghanistan is a plausible beginning. It's not the most important thing we have to do, and maybe we are not doing it as well as we might. But what are the alternatives? Understanding the pain of the others, resisting a coercive monoculture, taking action against disparities of wealth: that is a political program of a sort, I suppose (the last two points have been central to *Dissent's* politics from the beginning), but it doesn't have anything to do with terrorism; it doesn't come close to the strategy of prevention that we urgently need. Snitow writes as

someone who can't imagine taking responsibility for the lives of fellow citizens, but (however far we are from actual responsibility) that is exactly what we must imagine now.

James Rule seems to believe that the world's primary problem is Israeli wickedness. Not only don't I believe that; it doesn't seem to me even remotely plausible (note that Rule has to redefine terrorism as coercion rather than murder even to begin his argument). But Snitow gets to peace-in-the-Middle-East in her second "tangential thought" and Kazin gets there too, at the end of his comment. So I must attempt a general response. The United States had good reasons for pressing Israelis and Palestinians toward a compromise settlement before September 11. Bill Clinton's proposals and the agreement that seemed so close at the end of 2000 suggest clearly enough what such a settlement would look like. Resuming the process, increasing the pressure: that would constitute the "defensible" policy that I pointed to at the end of my talk. But it seems to me delusory to think that this policy would make any difference to Islamic radicals. Their goal is the end of Jewish sovereignty in what they take to be Muslim and Arab territory. I suspect that Yasir Arafat and some significant part of the PLO elite want the same thing. Still, we should try to find out. A just settlement would require roughly equal pressure on both sides; it would not constitute appeasement of bin Laden and al Qaeda. Indeed, since success would require Arab recognition of Jewish sovereignty, it would only further enrage them. So, again, this isn't a strategy for coping with the dangers we face; the demand to "do something" about the Israeli-Palestinian dispute is more likely, it seems to me, to function as an excuse for not acknowledging what those dangers really are. ●

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A SPECIAL ISSUE

**Edited by
Nicolaus Mills and
Kira Brunner**

THE NEW KILLING FIELDS

Massacre and the Politics
of Intervention

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The Language of Slaughter

Nicolaus Mills

IN THE MIDST of his speech at the 1993 dedication of the United States Holocaust Memorial Museum in Washington, Nobel Peace Prize winner Elie Wiesel shocked President Bill Clinton and the audience by departing from his prepared remarks to observe, "Mr. President, I cannot not tell you something. I have been in the former Yugoslavia. I cannot sleep for what I have seen. As a Jew, I am saying that we must do something to stop the bloodshed in that country."

Behind Wiesel's remarks was not only a call for action but an equally far-reaching assertion: fifty years later we were not applying the lessons of the Holocaust to the mass killing going on in Europe close to where the Nazi death camps had been.

At the heart of this special issue, *The New Killing Fields*, is an attempt to come to terms with the moral and political issues raised by the widespread mass killing and "ethnic cleansing" that have occurred since the start of the 1990s. In any number of ways, this combination of mass killing and ethnic cleansing does not equal the genocide of the Nazi era. It has been anything but a model of high tech efficiency and planning. Its perpetrators have contented themselves with using murder and intimidation to revenge themselves or drive their enemies from the land they want. The Nazis' desire to annihilate every Jew on the planet does not have a parallel in the nineties.

These differences do not, however, make the forces behind the new killing fields less worthy of condemnation; they do not make it less necessary to deny them a future. What the

killing fields of the nineties have in common—whether we are talking about the former Yugoslavia, where two hundred thousand Bosnian Muslims were slaughtered while troops from the North Atlantic Treaty Organization stood by; Rwanda, where in a hundred days eight hundred thousand Tutsis met the same fate, butchered largely by machete; or East Timor, where, according to a United Nations assessment, a quarter of the country fled or was pushed across the border into refugee camps in West Timor and twelve hundred more victims were added to a death list that totaled two hundred thousand since Indonesian occupation began in 1975—is that they are lands in which life was made intolerable through deliberate campaigns of murder and terror.

The nightmare these contemporary killing fields embody is one that, to paraphrase Wiesel, calls for action, not comparison. Yet for the West, and particularly for America, confronting this new mass killing and its cleansing of civilian populations unable and unequipped to defend themselves has consistently been a matter of doing too little too late. In an era of twenty-four-hour television coverage of the world, it has not been possible to say of the new killing fields, "We did not know." But time and again those countries and institutions most able to help have found reasons for ignoring the new killing fields, failing to act when the chances for saving life were greatest or taking refuge in meaningless distinctions, as the Clinton State Department did in 1994, when it insisted that what was going on in Rwanda were "acts of genocide" rather than genocide.

Given the longstanding preoccupation in America and Europe with enemies who could be labeled communists, it is not surprising that the men responsible over the course of the nineties for the terror and mass murder in the former Yugoslavia, Rwanda, and East Timor did

Opposite: Bosnian soldiers at the funeral of a slain comrade.
Photograph by Ron Haviv/VII

not draw the attention they would have if the cold war had still been going on and they had been viewed as surrogates for Moscow. Indeed, unlike Saddam Hussein and Iraq, these new killers and their followers did not even threaten American and European oil interests. To deal with them, it was necessary for America and the West to act primarily on the basis of humanitarian concerns rather than those of political self-interest.

Why were these concerns not enough to cause the West and the rest of the world to act in ways that would have minimized and, where possible, prevented the bloodshed of the new killing fields? To those of us whose essays make up *The New Killing Fields*, this question will not go away. But it is also, we realize, a question that requires us to go beyond finger pointing and ask, how should the international community act when governments massacre their own people? What are the tactical and moral criteria for humanitarian intervention, especially for nations that were once colonial powers? When do human rights supersede those of sovereignty, and how do we move from generalized compassion for the victims of mass slaughter and terror to concrete action that saves lives?

THE AIM OF *The New Killing Fields* is to try, as much as possible, to answer these questions by looking closely at what has happened over recent years in the former Yugoslavia, Rwanda, and East Timor. In focusing on these three countries, we do not mean to minimize the terrible brutality that went on elsewhere during the nineties. Our point is rather that the lessons that can be drawn from the former Yugoslavia, Rwanda, and East Timor—so different from each other in history and geography—reach far beyond their borders and allow us to talk about the killing fields of the post-cold war world without making this book simply a catalog of horrors.

In an address he delivered to the Canadian House and Senate in 1999, Czech president Vaclav Havel observed that one of the few bright spots in the West's intervention in the former Yugoslavia was that it dealt a severe blow to the notion that what a government did to the people within its borders was not

grounds for action by the international community. Havel's remarks point up how difficult it has been to find signs of positive change or progress emerging from the new killing fields. Our hope is that the essays that make up this book can, if only in a small way, help to reverse this trend.

We believe that any serious discussion of the new killing fields must acknowledge how rapidly the world has changed since the end of the cold war.

The twelve-year period between the fall of the Berlin Wall in 1989 and the fall of the World Trade Center in 2001, the era of the new killing fields we write about, has already yielded to a time in which the developed nations of the world see themselves as vulnerable to terrorism in a way they never did. In the near future it is going to be harder than ever for any politician to call for humanitarian intervention and be taken seriously. With the emergence of smart bombs and computerized battlefields, the most militarily sophisticated countries will be increasingly reluctant to put their own troops in harm's way unless their own safety is at stake. Given these pressures, any serious discussion of the new killing fields of the nineties must be rooted in an abiding sense of the toll they took in human life and suffering. Detail, not hearsay or guesswork, is crucial in this regard, and it is for this reason that so many of the writers who appear in this book are men and women who went to the former Yugoslavia, Rwanda, and East Timor as reporters.

The dangers of writing either melodramatically or reductively about the slaughter and terror at the center of these new killing fields are all too real. Three years after the end of World War I, the Austrian writer Karl Kraus described the worst of these dangers in a satire he called "Promotional Trips to Hell." Kraus told the story of an imaginary Swiss tourist agency that took the curious to the battlefield of Verdun, where from the comfort of their cars they might view "the quintessence of the horrors of modern warfare." Nobody today is talking about converting the former Yugoslavia, Rwanda, and East Timor into historical tourist spots, but what remains an issue is the ease with which the atrocities that occurred in these countries over the last decade can be turned, if a writer

is not careful, into highbrow entertainment for the “concerned intellectual.”

Fortunately, there is an alternative, and it is reflected in the path taken since the end of the nineteenth century by a small but distinct group of writers, linked primarily by their willingness to bear witness, to develop a language of slaughter that in its descriptive simplicity, its freedom from easy moralizing, portrays the mass suffering it describes unblinkingly while simultaneously making the point: governments and individuals have the power—if they will only use it—to stop this suffering.

THE MODERN foundations for this language of slaughter, in which the focus is invariably on the individual as victim of forces he cannot cope with by himself, were laid by Joseph Conrad in 1899, with the publication of *Heart of Darkness* in *Blackwood's Magazine*. The Polish-born Conrad went to the Congo in 1890 with the expectation of working as a captain on a river steamship. But the command he was promised never materialized, and appalled by what he saw—“Everything here is repellant to me,” he wrote—Conrad returned to Europe six months later. What he could not shed, however, were the sights in Africa that had sickened him.

In writing about them, Conrad was not raising issues that were new to his European readers, as Sven Lindquist pointed out in his 1996 book *Exterminate All the Brutes: One Man's Odyssey into the Heart of Darkness and the Origins of European Genocide*. Since the Berlin Conference of 1884, the Congo had been the personal property of King Leopold II of Belgium, and throughout the 1890s reports of the atrocities committed there had been filtering back to Europe. In the mid-1890s the Baptist missionary Edward Wilhelm Sjöblom began sending back personal accounts that were published in Sweden and England. In 1896 Sir Charles Dilke, an ex-British government cabinet secretary and a member of the Aborigines Protection Society who had read Sjöblom's accounts, published a critical piece in the new magazine *Cosmopolis* attacking the “flogging and shooting that are going on in the heart of Africa.” In 1897 the *Century Magazine* published the diary of the missionary E. J. Glave,

in which he described the beatings he had observed as part of a “fiendish policy” that was depopulating the Congo in order to extract rubber from it, and in 1898 the *Saturday Review*, Conrad's favorite paper, published the story of Captain Leon Rom, “who ornamented his flower beds with heads of twenty-one natives killed in a punitive expedition.”

Conrad's revulsion at the slaughter he saw in the Congo was no greater than that of men like Dilke and Glave. His genius was in giving the source of the slaughter a human face and allowing his readers to grasp the numbing regularity with which the slaughter was carried out.

The figure who is the greatest single source of violence in *Heart of Darkness* is the chief of the Inner Station, a man known only as Kurtz. Like the fabled Captain Rom, Kurtz has a fondness for shrunk heads. The fence posts around his house are ornamented with them. And like King Leopold II, who described his Belgian agents as “all-powerful protectors” and “benevolent teachers” engaged in “the work of material and moral regeneration,” Kurtz sees himself as a defender of “higher principles.” He is the author of a report on “The Suppression of Savage Customs.”

Conrad will not, however, let Kurtz, who concludes his report with the postscript, “Exterminate all the brutes!” avoid political judgment by writing him off as simply pathological. Kurtz is an imperial everyman. “All Europe contributed to the making of Kurtz,” Conrad tells us after noting that Kurtz's mother was half-English and his father was half-French. Even more important, Kurtz's excesses are portrayed as the natural extension of a system of extracting ivory at any cost. It is the voice of Charlie Marlow, who, like Conrad, came to the Congo to captain a riverboat, that dominates *Heart of Darkness*, and what Marlow captures with his painstakingly detailed narrative is a panorama of brutality. We see emaciated black prisoners, each with an iron collar around his neck, being marched to work. We see a “middle-aged Negro with a bullet hole in his head” lying beside the road. We see a black worker “screeching horribly” from a beating he is given for accidentally causing a fire.

Marlow has no illusions about why this brutality is tolerated. He describes imperialism as

the conquest of “those who have a different complexion or slightly flatter noses than ourselves,” and he sneers at the “philanthropic pretense” that is used to justify it. He even asks his readers to imagine what would happen to the English countryside if it were suddenly subjected to African imperialism. “I fancy every farm and cottage thereabouts would get empty very soon,” he writes, “if a lot of mysterious niggers armed with all kinds of fearful weapons suddenly took to traveling on the road between Deal and Gravesend, catching the yokels right and left to carry heavy loads for them.” But what dominates Marlow’s language is a matter-of-factness that rarely calls attention to his inner feelings and avoids moralizing about how imperialism might be reformed. It is the contrast between the horrors that Marlow describes and the neutral tone of his language that makes him believable, and it is this same contrast that invites the reader of Conrad’s story to make the larger political and moral judgments Marlow will not volunteer.

A QUARTER CENTURY later, with the outbreak of World War I and the initiation of modern warfare—which at battles such as Ypres and the Somme left, on the British side alone, more than three hundred thousand dead and wounded—the language of slaughter was again called into play. In addition to Conrad, Thomas Hardy and Henry James were both alive at the start of World War I, but their generation of novelists would not be the ones to bring the language of slaughter into the twentieth century. That task would fall to a new generation of writers who believed the war was, as James wrote, “a nightmare from which there is no waking save by sleep,” but who, in contrast to James, experienced combat firsthand.

In England this new generation of writers was made up of classically educated men who quickly found that nothing they had read about war as an occasion for heroism and sacrifice applied. In their writing the butchery of war crowds out all else. What they offered their readers was carnage, not drama. In Robert Graves’s *Goodbye to All That* the battlefield is “the continual experience of death.” In Edmund Blunden’s *Un-*

dertones of War it is a place “cancerous with bodies.” In Siegfried Sassoon’s *The Memoirs of George Sherston* it is “slaughter” that leaves the dead “grotesque and undignified.”

It was, however, an American writer, Ernest Hemingway, whose formal education stopped with the end of high school and whose literary values were initially shaped by working as a reporter for the *Kansas City Star*, who, with more depth than any other writer of his generation, extended the language of slaughter that Conrad had developed.

The classic Hemingway passage—and arguably the single piece of writing that best describes modern warfare as slaughter rather than glorious combat—occurs in the middle of his 1929 novel, *A Farewell to Arms*, when the narrator, Lieutenant Frederic Henry, an American serving as an ambulance driver in the Italian Army, observes of the work he is engaged in, “I was always embarrassed by the words sacred, glorious, and sacrifice and the expression in vain. We had heard them, sometimes standing in the rain almost out of earshot, so that only the shouted words came through, and had read them on proclamations that were slapped up by billposters over other proclamations, now for a long time, and I had seen nothing sacred, and the things that were glorious had no glory and the sacrifices were like the stockyards of Chicago if nothing was done with the meat except to bury it. Abstract words such as glory, honor, courage, or hallow were obscene beside the concrete names of villages, the numbers of roads, the names of rivers, the numbers of regiments, and the dates.”

There is an unbridgeable gap between the rhetorical simplicity of Hemingway’s prose and the flowery language President Woodrow Wilson used in 1917 when, in a speech that blended the idea of banking and Christian sacrifice, he declared war on Germany by announcing, “The day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace she has treasured.” But what is equally striking about the Hemingway passage is how the already stripped-down language Conrad used to describe slaughter has been pared even further.

Lieutenant Henry has, in the course of the

war, been wounded, as was Hemingway, who served as an ambulance driver for the American Red Cross in Italy, and so unlike Conrad's Marlow, Henry is as much a victim as a first-hand observer of the carnage around him. But Henry, who eventually deserts the Italian army and flees to Switzerland, refuses to dwell on his own wounding or to portray it as anything more than the result of random violence. "I was blown up while eating cheese," he sardonically observes when he learns that he may be in line for a medal. The result, as with Conrad, is that the reader is again invited to fill in the blanks, to go beyond the deliberately understated prose put before him.

In extending this invitation, Hemingway offers far more guidance than Conrad, a figure he came to admire in the twenties at a time when Conrad was falling out of literary favor. In disdaining words such as sacred and glorious, Lieutenant Henry immediately dismisses the language that from Homer to Napoleon was used to describe war at its most heroic. Such language had become deceptive for Hemingway, and so, too, had the process of talking abstractly about war or constantly using metaphors to describe it. The only analogy that Hemingway will allow his narrator to use is one that reduces the sacrifice of war to slaughter in the Chicago stockyards and suggests that the soldiers are being treated as if they were cattle. The real lack of feeling in this passage is that of those leaders, in and out of the military, who try to prettify battlefield slaughter. Lieutenant Henry's seeming unfeelingness, his refusal to speak of war as if its sacrifices will make transcendence possible, is by contrast the response that makes most sense in this context. By his literalism—by employing a language that focuses on the names of villages and the numbers of regiments—Henry turns his back on euphemism and allows the details of the carnage he has experienced to define its significance.

FOR THE BETTER part of three decades, Hemingway's barebones style remained the gold standard for writers seeking to describe the slaughter that the modern state was capable of unleashing. But with the end of the Second World War and the liberation of

the Nazi concentration camps by the Allies, there was a new set of realities to account for. There was still room for irony and understatement, but in the years after the war, it was nausea, stemming from a numbing horror, that gave the new language of slaughter its most characteristic quality.

Martha Gellhorn, Hemingway's third wife and a distinguished war correspondent in her own right, reflected this change in a story she wrote for *Collier's* in 1945 about her visit to the Dachau concentration camp on the day Germany surrendered. Looking back on that day fifty years later, Gellhorn remembered, "Years of war had taught me a great deal, but war was nothing like Dachau. Compared to Dachau, war was clean." The same appalled sensibility was part of Gellhorn's 1945 reportage on Dachau. Her minimalist prose was designed to describe how the concentration camps had stripped the men and women in them of recognizable life. They appear as living corpses in Gellhorn's eyes. "Behind the barbed wires and electric fence, the skeletons sat in the sun and searched themselves for lice," she writes of the prisoners. "They have no age and no faces; they all look alike and like nothing you will see if you are lucky." It is an insight Gellhorn is embarrassed to witness from the perspective of someone personally undamaged by the war, and later on in her article, she goes on to explain, "Aside from the terrible anger you feel, you are ashamed." But Gellhorn will not let her shame silence her. The key for Gellhorn is to capture a world that she and the troops with her fear others will never believe existed, and she closes her *Collier's* story by turning away from the Nazis to talk about America and the Allies. "It took us twelve years to open the gates of Dachau," she writes. "We were blind and unbelieving and slow, and that we can never be again."

The most important writing on the concentration camps of World War II came, however, not from those who reported on them after they were liberated, but from those who spent years in them before the rest of the world had a true picture of them. It was these men and women who for the second time in the twentieth century extended the language of slaughter so that it could reach a new audience.

What distinguished these writers was their vulnerability to the events they described. Conrad's Charlie Marlow saw the slaughter of the Congo from the vantage point of a skeptical European working there. Hemingway's Lieutenant Frederic Henry saw the slaughter of World War I from the perspective of someone who was wounded. But concentration camp survivors saw the slaughter of the Holocaust from the perspective of those who were supposed to die in it. When they wrote about a "queue of human skeletons" or the humiliation of being tattooed with an identification number, there was no distance in their language. Their descriptions included themselves down to the last detail.

As such, the Holocaust survivors brought a unique ethic with them. In a world in which they were expected to die—and take to the grave the victim's experience of Nazi genocide—they triumphed by living and in turn felt enormous pressure to make sure future generations learned of their experiences. They had to defy the kind of cynicism that famed Nazi hunter Simon Wiesenthal records in *The Murderers Are Among Us* when he tells the story of an SS officer boasting, "Even if some proof should remain and some of you survive, people will say that the events you describe are too monstrous to be believed: they will say they are the exaggerations of Allied propaganda and will believe us."

FOR THE survivor-writers of the Holocaust, the result was a world in which living in order to write gave them purpose. It was a purpose that virtually all Holocaust writers talked about, but none more eloquently than Primo Levi, whose Holocaust writings from 1947 until his suicide forty years later in 1987, were crucial in making the Holocaust accessible to a worldwide audience. Early in his first memoir, *Survival in Auschwitz*, Levi makes the link between surviving and writing. "Because the Lager was a great machine to reduce us to beasts, we must not become beasts," he writes. "Even in this place one can survive, and therefore one must want to survive in order to tell the story, to bear witness."

But for Levi and the other Holocaust writers, bearing witness was only the beginning.

How they bore witness took a very definite literary form. "Terse documents. Precisely kept ledgers of horrors. Accounts told with childlike artlessness," Elie Wiesel observed years later in *One Generation After*, and in a 1986 conversation with novelist Philip Roth, Levi went even further in discussing the economy of style he strove for. "My model (or, if you prefer, my style) was that of the weekly report commonly used in factories," Levi observed. "It must be precise, concise, and written in a style comprehensible to everybody." For Levi and the Holocaust writers, the idea of allowing an elaborate prose, let alone a prose that was hard to follow by virtue of its shifting perspectives, to divert attention from the events they wanted to record was anathema. They wished to remain believable at all costs. "When describing the tragic world of Auschwitz, I have deliberately assumed the calm, sober language of the witness, neither the lamenting tones of the victim nor the irate voice of someone who seeks revenge," Levi insisted. "I thought that my account would be all the more credible and useful the more it appeared objective and the less it sounded overly emotional."

In this concern for being believed, Levi was again far from alone. As the late Terrence Des Pres pointed out in *The Survivor*, his study of the writing from the Nazi death camps, in the overwhelming number of Holocaust memoirs, the writers say "we" rather than "I" and offer what is in essence a group portrait. There is a sense on their parts that they not only went through a collective experience in the camps, but that they are speaking for the dead as well as the living. "He bears witness through these words of mine," Levi wrote of an Auschwitz friend, and for survivor after survivor, this tie with those who died is one they feel shaping their prose. All remember the role that luck and friendship played in their survival and know they might just as easily have been killed as survived.

In this same spirit the Holocaust writers also tended to adopt what Levi called in *The Drowned and the Saved* the "humility of the good chronicler." They made sure their narratives did not get sidetracked with flights of fancy or unneeded moralizing. James Agee's plea in *Let Us Now Praise Famous Men*, "In

God's name don't think of it as art," echoes throughout their work in their desire to have their readers remain unconcerned with the problems of literary construction. In the vast majority of Holocaust memoirs, the brutal repetitiveness of daily life in the camps sets the tone, and it is this brutal repetitiveness the memoirists seek to capture. Their ideal reader, a figure Levi refers to as "the judge," will, they conclude, have the best chance of understanding the slaughterhouse world the Nazis created if he or she is given concrete information in the order it happened with only minimal hindsight to soften the shock of it.

FIFTY YEARS LATER many of these same beliefs may be seen in the language of slaughter that has focused our attention on the killing fields of the former Yugoslavia, Rwanda, and East Timor. What has not stayed the same, however, is the way people now get their news. In describing the world they knew firsthand, Joseph Conrad and Ernest Hemingway were in a position to write about events for which the visual record was crude and incomplete. Their pictorial competition was minimal, as was their fear of being thought redundant. As Holocaust survivors, Wiesel and Levi were in a parallel position in relation to their readers. They were able to write personally about events that the newsreels and still photography of the 1940s never showed while they were happening.

Today, thanks to the electronic media and twenty-four-hour news cycle, writers do not have such leeway. Just as Vietnam was turned into a living-room war by the television networks, so the former Yugoslavia, Rwanda, and East Timor were turned into living-room killing fields that television watchers could view any hour of the day or night. Even when the media were kicked out of a country in which mass killing was going on, they were never gone for long. As David Rieff observed in *Slaughterhouse*, his account of diplomacy and ethnic cleansing in the former Yugoslavia, "Two hundred thousand Muslims died, in full view of the world's television cameras, and more than two million other people were forcibly displaced." Still more important, the former Yugoslavia, Rwanda, and East Timor were places

in which the writers who went there did not on a day-in and day-out basis share the risks of those they described. This is not to say that the writers who covered the former Yugoslavia, Rwanda, and East Timor did not act bravely and encounter unforeseen dangers that put their lives in jeopardy, but as professional observers rather than participants, they could always opt to leave. They carried with them passports, money, and credit cards. When they put themselves at risk, it was in most cases because they wanted to get closer to the story they were working on.

As a result one characteristic of the first wave of writing on the killing fields of the nineties is a pronounced self-consciousness on the part of those who first reported on them. Nobody, no matter how brave he or she was, feels qualified to write as a "we" rather than an "I," and in book after book, there are lengthy discussions of prose that misleads. The writers are particularly tough on themselves, especially when they fear they may be turning out the kind of "war porn" that makes the slaughter they describe seem fascinating rather than horrifying.

What follows from these agonized discussions of how to write about the killing fields of the nineties are not, however, accounts of death and terror that deconstruct themselves but accounts that transcend their authors' fears that they might not be able to find the right words for their subject. "Imagine, talking to skeletons! As I spoke to one of them, I looked at his arm and realized that I could grab hold of it and snap it in two places like a brittle twig. I could do the same with his legs. I saw doz-

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ens of other walking skeletons of that sort," Peter Maass writes in *Love They Neighbor* of the men he visited at the Serbian prison camp at Trnopolje. Like Philip Gourevitch's description in *We Wish to Inform You that Tomorrow We Will be Killed with our Families* of the "macheted skulls" he found in a Rwandan classroom or correspondent Cameron Barr's report in the *Christian Science Monitor* of Indonesian soldiers cutting off the ear of an East Timorese man they have just shot, what characterizes the most revealing accounts of the killing fields of the nineties is a prose that in its tautness and candor allows us to speak of the language of slaughter that has its roots in Conrad and Hemingway, continuing into the present.

Equally significant from a policy perspective, the writers who over the last decade have made the former Yugoslavia, Rwanda, and East Timor their focus have not allowed themselves to become political agnostics. They are never so naïve as to argue that in the conflicts they describe only one side has been guilty of atrocities. But they are not so overwhelmed by what they have seen that they cannot distinguish the worst perpetrators of violence, cannot give proper weight to the slaughter that at its most extreme was done by Serbs to Bosnians, by the Hutu majority to the Tutsi minority, by Indonesian Army and paramilitary units to the people of East Timor.

It is the continuation of this story that is the subject of *The New Killing Fields*. We would not be able to write as we do about what has happened in the former Yugoslavia, Rwanda, and East Timor if the groundwork for understanding them had not already been laid.

But we would also not need to write as we do if these were areas in which a peaceful future was assured. What worries us is that when the television camera are pulled out of places like the former Yugoslavia, Rwanda, and East Timor, the world quickly loses interest in them and acts as though they can heal themselves.

In this present period, when the slaughter that in the nineties reached such a frenzy in the former Yugoslavia, Rwanda, and East Timor has stopped, we have a chance to do there what was not possible earlier: to see if a permanent stability can be achieved so that a new cycle of killing and ethnic cleansing does not start up again. It is a tall order, and in the coming years it will depend on America and the West, which have, to a degree that nobody else does, the resources for dealing with the new killing fields, believing their own struggles with terrorism are helped, not hindered, by battling the forces that over the nineties brought so much chaos to the former Yugoslavia, Rwanda, and East Timor. The danger is that in America and Europe governments, as well as individual citizens, will be paralyzed into inaction by the knowledge that nothing they do in the future can ever make up for the enormity of suffering they have witnessed from the comfort of their living rooms. ●

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The Argument about Humanitarian Intervention

Michael Walzer

THERE IS NOTHING new about human disasters caused by human beings. We have always been, if not our own, certainly each other's worst enemies. From the Assyrians in ancient Israel and the Romans in Carthage to the Belgians in the Congo and the Turks in Armenia, history is a bloody and barbaric tale. Still, in this regard, the twentieth century was an age of innovation, first—and most important—in the way disasters were planned and organized and then, more recently, in the way they were publicized. I want to begin with the second of these innovations—the product of an extraordinary speedup in both travel and communication. It may be possible to kill people on a very large scale more efficiently than ever before, but it is much harder to kill them in secret. In the contemporary world there is very little that happens far away, out of sight, or behind the scenes; the camera crews arrive faster than rigor mortis. We are instant spectators of every atrocity; we sit in our living rooms and see the murdered children, the desperate refugees. Perhaps horrific crimes are still committed in dark places, but not many; contemporary horrors are well-lit. And so a question is posed that has never been posed before—at least never with such immediacy, never so inescapably: What is our responsibility? What should we do?

In the old days, “humanitarian intervention” was a lawyer’s doctrine, a way of justifying a very limited set of exceptions to the principles of national sovereignty and territorial integrity. It is a good doctrine, because exceptions are always necessary, principles are never absolute. But we need to rethink it today, as the exceptions become less and less exceptional. The

“acts that shock the conscience of humankind”—and, according to the nineteenth-century law books, justify humanitarian intervention—are probably no more frequent these days than they were in the past, but they are more shocking, because we are more intimately engaged by them and with them. Cases multiply in the world and in the media: Somalia, Bosnia, Rwanda, East Timor, Liberia, Sierra Leone, and Kosovo in only the past decade. The last of these has dominated recent political debates, but it isn’t the most illuminating case. I want to step back a bit, reach for a wider range of examples, and try to answer four questions about humanitarian intervention: First, what are its occasions? Second, who are its preferred agents? Third, how should the agents act to meet the occasions? And fourth, when is it time to end the intervention?

Occasions

The occasions have to be extreme if they are to justify, perhaps even require, the use of force across an international boundary. Every violation of human rights isn’t a justification. The common brutalities of authoritarian politics, the daily oppressiveness of traditional social practices—these are not occasions for intervention; they have to be dealt with locally, by the people who know the politics, who enact or resist the practices. The fact that these people can’t easily or quickly reduce the incidence of brutality and oppression isn’t a sufficient reason for foreigners to invade their country. Foreign politicians and soldiers are too likely to misread the situation, or to underestimate the force required to change it, or to stimulate a “patriotic” reaction in defense of the brutal politics and the oppressive practices. Social change is best achieved from within.

I want to insist on this point; I don’t mean to describe a continuum that begins with common nastiness and ends with genocide, but

rather a radical break, a chasm, with nastiness on one side and genocide on the other. We should not allow ourselves to approach genocide by degrees. Still, on this side of the chasm, we can mark out a continuum of brutality and oppression, and somewhere along this continuum an international response (short of military force) is necessary. Diplomatic pressure and economic sanctions, for example, are useful means of engagement with tyrannical regimes. The sanctions might be imposed by some free-form coalition of interested states. Or perhaps we should work toward a more established regional or global authority that could regulate the imposition, carefully matching the severity of the sanctions to the severity of the oppression. But these are still external acts; they are efforts to prompt *but not to preempt* an internal response. They still assume the value, and hold open the possibility, of domestic politics. The interested states or the regional or global authorities bring pressure to bear, so to speak, at the border; and then they wait for something to happen on the other side.

But when what is going on is the “ethnic cleansing” of a province or country or the systematic massacre of a religious or national community, it doesn’t seem possible to wait for a local response. Now we are on the other side of the chasm. The stakes are too high, the suffering already too great. Perhaps there is no capacity to respond among the people directly at risk and no will to respond among their fellow citizens. The victims are weak and vulnerable; their enemies are cruel; their neighbors indifferent. The rest of us watch and are shocked. This is the occasion for intervention.

We will need to argue, of course, about each case, but the list I’ve already provided seems a fairly obvious one. These days the intervening army will claim to be enforcing human rights, and that was a plausible and fully comprehensible claim in each of the cases on my list (or would have been, since interventions weren’t attempted in all of them). We are best served, I think, by a stark and minimalist version of human rights here: it is life and liberty that are at stake. With regard to these two, the language of rights is readily available and sufficiently understood across the globe. Still, we could as easily say that what is being en-

forced, and what should be enforced, is simple decency.

In practice, even with a minimalist understanding of human rights, even with a commitment to nothing more than decency, there are more occasions for intervention than there are actual interventions. When the oppressors are too powerful, they are rarely challenged, however shocking the oppression. This obvious truth about international society is often used as an argument against the interventions that do take place. It is hypocritical, critics say to the “humanitarian” politicians or soldiers, to intervene in this case when you didn’t intervene in that one—as if, having declined to challenge China in Tibet, say, the United Nations should have stayed out of East Timor for the sake of moral consistency. But consistency isn’t an issue here. We can’t meet all our occasions; we rightly calculate the risks in each one. We need to ask what the costs of intervention will be for the people being rescued, for the rescuers, and for everyone else. And then, we can only do what we can do.

The standard cases have a standard form: a government, an army, a police force, tyrannically controlled, attacks its own people or some subset of its own people, a vulnerable minority, say, territorially based or dispersed throughout the country. (We might think of these attacks as examples of state terrorism and then consider forceful humanitarian responses, such as the NATO campaign in Kosovo, as instances of the “war against terrorism,” *avant la lettre*. But I won’t pursue this line of argument here.) The attack takes place within the country’s borders; it doesn’t require any boundary crossings; it is an exercise of sovereign power. There is no aggression, no invading army to resist and beat back. Instead, the rescuing forces are the invaders; they are the ones who, in the strict sense of international law, begin the war. But they come into a situation where the moral stakes are clear: the oppressors or, better, the state agents of oppression are readily identifiable; their victims are plain to see.

Even in the list with which I started, however, there are some nonstandard cases—Sierra Leone is the clearest example—where the state apparatus isn’t the villain, where what we might think of as the administration of brutal-

ity is decentralized, anarchic, almost random. It isn't the power of the oppressors that interventionists have to worry about, but the amorphousness of the oppression. I won't have much to say about cases like this. Intervention is clearly justifiable but, right now at least, it's radically unclear how it should be undertaken. Perhaps there is not much to do beyond what the Nigerians did in Sierra Leone: they reduced the number of killings, the scope of the barbarism.

Agents

"We can only do what we can do." Who is this "we"? The Kosovo debate focused on the United States, NATO, and the UN as agents of military intervention. These are indeed three political collectives capable of agency, but by no means the only three. The United States and NATO generate suspicion among the sorts of people who are called "idealists" because of their readiness to act unilaterally and their presumed imperial ambitions; the UN generates skepticism among the sorts of people who are called "realists" because of its political weakness and military ineffectiveness. The arguments here are overdetermined; I am not going to join them. We are more likely to understand the problem of agency if we start with other agents. The most successful interventions in the last thirty years have been acts of war by neighboring states: Vietnam in Cambodia, India in East Pakistan (now Bangladesh), Tanzania in Uganda. These are useful examples for testing our ideas about intervention because they don't involve extraneous issues such as the new (or old) world order; they don't require us to consult Lenin's, or anyone else's, theory of imperialism. In each of these cases, there were horrifying acts that should have been stopped and agents who succeeded, more or less, in stopping them. So let's use these cases to address the two questions most commonly posed by critics of the Kosovo war: Does it matter that the agents acted alone? Does it matter that their motives were not wholly (or even chiefly) altruistic?

In the history of humanitarian intervention, unilateralism is far more common than its opposite. One reason for this is obvious: the great reluctance of most states to cede the direction

of their armed forces to an organization they don't control. But unilateralism may also follow from the need for an immediate response to "acts that shock." Imagine a case where the shock doesn't have anything to do with human evil-doing: a fire in a neighbor's house in a new town where there is no fire department. It wouldn't make much sense to call a meeting of the block association, while the house is burning, and vote on whether or not to help (and it would make even less sense to give a veto on helping to the three richest families on the block). I don't think that the case would be all that different if, instead of a fire, there was a brutal husband, no police department, and screams for help in the night. Here too, the block association is of little use; neighborly unilateralism seems entirely justified. In cases like these, anyone who can help should help. And that sounds like a plausible maxim for humanitarian intervention also: who can, should.

But now let's imagine a block association or an international organization that planned in advance for the fire, or the scream in the night, or the mass murder. Then there would be particular people or specially recruited military forces delegated to act in a crisis, and the definition of "crisis" could be determined—as best it can be—in advance, in exactly the kind of meeting that seems so implausible, so morally inappropriate, at the moment when immediate action is necessary. The person who rushes into a neighbor's house in my domestic example and the political or military commanders of the invading forces in the international cases would still have to act on their own understanding of the events unfolding in front of them and on their own interpretation of the responsibility they have been given. But now they act under specified constraints, and they can call on the help of those in whose name they are acting. This is the form that multilateral intervention is most likely to take, if the UN, say, were ever to authorize it in advance of a particular crisis. It seems preferable to the different unilateral alternatives, because it involves some kind of prior warning, an agreed-upon description of the occasions for intervention, and the prospect of overwhelming force.

But is it preferable in fact, right now, given

the UN as it actually is? What makes police forces effective in domestic society, when they are effective, is their commitment to the entire body of citizens from which they are drawn and the (relative) trust of the citizens in that commitment. But the UN's General Assembly and Security Council, so far, give very little evidence of being so committed, and there can't be many people in the world today who would willingly entrust their lives to UN police. So if, in any of my examples, the UN's authorized agents or their domestic equivalents decide not to intervene, and the fire is still burning, the screams can still be heard, the murders go on—then unilateralist rights and obligations are instantly restored. Collective decisions to act may well exclude unilateral action, but collective decisions not to act don't have the same effect. In this sense, unilateralism is the dominant response when the common conscience is shocked. If there is no collective response, anyone can respond. If no one is acting, act.

In the Cambodia, East Pakistan, and Uganda cases, there were no prior arrangements and no authorized agents. Had the UN's Security Council or General Assembly been called into session, it would almost certainly have decided against intervention, probably by majority vote, in any case because of great-power opposition. So, anyone acting to shut down the Khmer Rouge killing fields or to stem the tide of Bengalese refugees or to stop Idi Amin's butchery would have to act unilaterally. Everything depended on the political decision of a single state.

Do these singular agents have a right to act or do they have an obligation? I have been using both words, but they don't always go together: there can be rights where there are no obligations. In "good Samaritan" cases in domestic society, we commonly say that passersby are bound to respond (to the injured stranger by the side of the road, to the cry of a child drowning in the lake); they are not, however, bound to risk their lives. If the risks are clear, they have a right to respond; responding is certainly a good thing and possibly the right thing to do; still, they are not morally bound to do it. But military interventions across international boundaries always impose risks on the intervening forces. So perhaps there is no obliga-

tion here either; perhaps there is a right to intervene but also a right to refuse the risks, to maintain a kind of neutrality—even between murderers and their victims. Or perhaps humanitarian intervention is an example of what philosophers call an "imperfect" duty: someone should stop the awfulness, but it isn't possible to give that someone a proper name, to point a finger, say, at a particular country. The problem of imperfect duty yields best to multilateral solutions; we simply assign responsibility in advance through some commonly accepted decision procedure.

But perhaps, again, these descriptions are too weak: I am inclined to say that intervention is more than a right and more than an imperfect duty. After all, the survival of the intervening state is not at risk. And then why shouldn't the obligation simply fall on the most capable state, the nearest or the strongest, as in the maxim I have already suggested: Who can, should? Nonintervention in the face of mass murder or ethnic cleansing is not the same as neutrality in time of war. The moral urgencies are different; we are usually unsure of the consequences of a war, but we know very well the consequences of a massacre. Still, if we follow the logic of the argument so far, it will be necessary to recruit volunteers for humanitarian interventions; the "who" who can and should is only the state, not any particular man or woman; for individuals the duty remains imperfect. Deciding whether to volunteer, they may choose to apply the same test to themselves—who can, should—but the choice is theirs.

THE DOMINANCE that I have ascribed to unilateralism might be questioned—commonly is questioned—because of a fear of the motives of single states acting alone. Won't they act in their own interests rather than in the interests of humanity? Yes, they probably will or, better, they will act in their own interests as well as in the interests of humanity; I don't think that it is particularly insightful, merely cynical, to suggest that those larger interests have no hold at all (surely the balance of interest and morality among interventionists is no different than it is among non-interventionists). In any case, how would hu-

manity be better served by multilateral decision-making? Wouldn't each state involved in the decision process also act in its own interests? And then the outcome would be determined by bargaining among the interested parties—and humanity, obviously, would not be one of the parties. We might hope that particular interests would cancel each other out, leaving some kind of general interest (this is in fact Rousseau's account, or one of his accounts, of how citizens arrive at a "general will"). But it is equally possible that the bargain will reflect only a mix of particular interests, which may or may not be better for humanity than the interests of a single party. Anyway, political motivations are always mixed, whether the actors are one or many. A pure moral will doesn't exist in political life, and it shouldn't be necessary to pretend to that kind of purity. The leaders of states have a right, indeed, they have an obligation, to consider the interests of their own people, even when they are acting to help other people. We should assume, then, that the Indians acted in their national interest when they assisted the secession of East Pakistan, and that Tanzania acted in its own interests when it moved troops into Idi Amin's Uganda. But these interventions also served humanitarian purposes, and presumably were intended to do that too. The victims of massacre or "ethnic cleansing" disasters are very lucky if a neighboring state, or a coalition of states, has more than one reason to rescue them. It would be foolish to declare the multiplicity morally disabling. If the intervention is expanded beyond its necessary bounds because of some "ulterior" motive, then it should be criticized; within those bounds, mixed motives are a practical advantage.

Means

When the agents act, how should they act? Humanitarian intervention involves the use of force, and it is crucial to its success that it be pursued forcefully; the aim is the defeat of the people, whoever they are, who are carrying out the massacres or the ethnic cleansing. If what is going on is awful enough to justify going in, then it is awful enough to justify the pursuit of military victory. But this simple proposition hasn't found ready acceptance in international

society. Most clearly in the Bosnian case, repeated efforts were made to deal with the disaster without fighting against its perpetrators. Force was taken, indeed, to be a "last" resort, but in an ongoing political conflict "lastness" never arrives; there is always something to be done before doing whatever it is that comes last. So military observers were sent into Bosnia to report on what was happening; and then UN forces brought humanitarian relief to the victims, and then they provided some degree of military protection for relief workers, and then they sought (unsuccessfully) to create a few "safe zones" for the Bosnians. But if soldiers do nothing more than these things, they are hardly an impediment to further killing; they may even be said to provide a kind of background support for it. They guard roads, defend doctors and nurses, deliver medical supplies and food to a growing number of victims and refugees—and the number keeps growing. Sometimes it is helpful to interpose soldiers as "peacekeepers" between the killers and their victims. But though that may work for a time, it doesn't reduce the power of the killers, and so it is a formula for trouble later on. Peacekeeping is an honorable activity, but not if there is no peace. Sometimes, unhappily, it is better to make war.

In Cambodia, East Pakistan, and Uganda, the interventions were carried out on the ground; this was old-fashioned war-making. The Kosovo war provides an alternative model: a war fought from the air, with technologies designed to reduce (almost to zero!) the risk of casualties to the intervening army. I won't stop here to consider at any length the reasons for the alternative model, which have to do with the increasing inability of modern democracies to use the armies they recruit in ways that put soldiers at risk. There are no "lower orders," no invisible, expendable citizens in democratic states today. And in the absence of a clear threat to the community itself, there is little willingness even among political elites to sacrifice for the sake of global law and order or, more particularly, for the sake of Rwandans or Kosovars. But the inability and the unwillingness, whatever their sources, make for moral problems. A war fought entirely from the air, and from far away, probably can't

be won without attacking civilian targets. These can be bridges and television stations, electric generators and water purification plants, rather than residential areas, but the attacks will endanger the lives of innocent men, women, and children nonetheless. The aim is to bring pressure to bear on a government acting barbarically toward a minority of its citizens by threatening to harm, or actually harming, the majority to which, presumably, the government is still committed. Obviously this isn't a strategy that would have worked against the Khmer Rouge in Cambodia, but it's probably not legitimate even where it might work—so long as there is the possibility of a more precise intervention against the forces actually engaged in the barbarous acts. The same rules apply here as in war generally: noncombatants are immune from direct attack and have to be protected as far as possible from "collateral damage"; soldiers have to accept risks to themselves in order to avoid imposing risks on the civilian population.

Any country considering military intervention would obviously embrace technologies that were said to be risk-free for its own soldiers, and the embrace would be entirely justified so long as the same technologies were also risk-free for civilians on the other side. This is precisely the claim made on behalf of "smart bombs": they can be delivered from great distances (safely), and they never miss. But the claim is, for the moment at least, greatly exaggerated. There is no technological fix currently available, and therefore no way of avoiding this simple truth: from the standpoint of justice, you cannot invade a foreign country, with all the consequences that has for other people, while insisting that your own soldiers can never be put at risk. Once the intervention has begun, it may become morally, even if it is not yet militarily, necessary to fight on the ground—in order to win more quickly and save many lives, for example, or to stop some particularly barbarous response to the intervention.

That's the moral argument against no-risk interventions, but there is also a prudential argument. Interventions will rarely be successful unless there is a visible willingness to fight and to take casualties. In the Kosovo case, if a

NATO army had been in sight, so to speak, before the bombing of Serbia began, it is unlikely that the bombing would have been necessary; nor would there ever have been the tide of desperate and embittered refugees. Postwar Kosovo would look very different; the tasks of policing and reconstruction would be easier than they have been; the odds on success much better.

Endings

Imagine the intervening army fully engaged. How should it understand the victory that it is aiming at? When is it time to go home? Should the army aim only at stopping the killings, or at destroying the military or paramilitary forces carrying them out, or at replacing the regime that employs these forces, or at punishing the leaders of the regime? Is intervention only a war or also an occupation? These are hard questions, and I want to begin my own response by acknowledging that I have answered them differently at different times.

The answer that best fits the original legal doctrine of humanitarian intervention, and that I defended in *Just and Unjust Wars* (1977), is that the aim of the intervening army is simply to stop the killing. Its leaders prove that their motives are primarily humanitarian, that they are not driven by imperial ambition, by moving in as quickly as possible to defeat the killers and rescue their victims and then by leaving as quickly as possible. Sorting things out afterward, dealing with the consequences of the awfulness, deciding what to do with its agents—that is not properly the work of foreigners. The people who have always lived there, wherever "there" is, have to be given a chance to reconstruct their common life. The crisis that they have just been through should not become an occasion for foreign domination. The principles of political sovereignty and territorial integrity require the "in and quickly out" rule.

But there are three sorts of occasions when this rule seems impossible to apply. The first is perhaps best exemplified by the Cambodian killing fields, which were so extensive as to leave, at the end, no institutional base, and perhaps no human base, for reconstruction. I don't say this to justify the Vietnamese estab-

lishment of a satellite regime, but rather to explain the need, years later, for the UN's effort to create, from the outside, a locally legitimate political system. The UN couldn't or wouldn't stop the killing when it was actually taking place, but had it done so, the "in and quickly out" test would not have provided a plausible measure of its success; it would have had to deal, somehow, with the aftermath of the killing.

The second occasion is exemplified by all those countries—Uganda, Rwanda, Kosovo, and others—where the extent and depth of the ethnic divisions make it likely that the killings will resume as soon as the intervening forces withdraw. If the original killers don't return to their work, then the revenge of their victims will prove equally deadly. Now "in and quickly out" is a kind of bad faith, a choice of legal virtue at the expense of political and moral effectiveness. If one accepts the risks of intervention in countries like these, one had better accept also the risks of occupation.

The third occasion is the one I called non-standard earlier on: where the state has simply disintegrated. It's not that its army or police have been defeated; they simply don't exist. The country is in the hand of paramilitary forces and warlords—gangs, really—who have been, let's say, temporarily subdued. What is necessary now is to create a state, and the creation will have to be virtually *ex nihilo*. And that is not work for the short term.

In 1995, in an article called "The Politics of Rescue," published in these pages, I argued that leftist critics of protectorates and trusteeships needed to rethink their position, for arrangements of this sort might sometimes be the best outcome of a humanitarian intervention. The historical record makes it clear enough that protectors and trustees, under the old League of Nations, for example, again and again failed to fulfill their obligations; nor have these arrangements been as temporary as they were supposed to be. Still, their purpose can sometimes be a legitimate one: to open a span of time and to authorize a kind of political work between the "in" and the "out" of a humanitarian intervention. This purpose doesn't cancel the requirement that the intervening forces get out. We need to think about better ways of

making sure that the purpose is actually realized and the requirement finally met. Perhaps this is a place where multilateralism can play a more central role than it does, or has done, in the original interventions. For multilateral occupations are unlikely to serve the interests of any single state and so are unlikely to be sustained any longer than necessary. The greater danger is that they won't be sustained long enough: each participating state will look for an excuse to pull its own forces out. An independent UN force, not bound or hindered by the political decisions of individual states, might be the most reliable protector and trustee—if we could be sure that it would protect the right people, in a timely way. Whenever that assurance doesn't exist, unilateralism returns, again, as a justifiable option.

EITHER WAY, we still need an equivalent of the "in and out" rule, a way of recognizing when these longstanding interventions reach their endpoint. The appropriate rule is best expressed by a phrase that I have already used: "local legitimacy." The intervening forces should aim at finding or establishing a form of authority that fits or at least accommodates the local political culture, and a set of authorities, independent of themselves, who are capable of governing the country and who command sufficient popular support so that their government won't be massively coercive. Once such authorities are in place, the intervening forces should withdraw: "in and finally out."

But this formula may be as quixotic as "in and quickly out." Perhaps foreign forces can't do the work that I've just described; they will only be dragged deeper and deeper into a conflict they will never be able to control, gradually becoming indistinguishable from the other parties. That prospect is surely a great disincentive to intervention; it will often override not only the benign intentions but even the imperial ambitions of potential interveners. In fact, most of the countries whose inhabitants (or some of them) desperately need to be rescued offer precious little political or economic reward to the states that attempt the rescue. One almost wishes that the impure motivations of such states had more plausible objects, the

pursuit of which might hold them to their task. At the same time, however, it's important to insist that the task is limited: once the massacres and ethnic cleansing are really over and the people in command are committed to avoiding their return, the intervention is finished. The new regime doesn't have to be democratic or liberal or pluralist or (even) capitalist. It doesn't have to be anything, except non-murderous. When intervention is understood in this minimalist fashion, it may be a little easier to see it through.

As in the argument about occasions, minimalism in endings suggests that we should be careful in our use of human rights language. For if we pursue the legal logic of rights (at least as that logic is understood in the United States), it will be very difficult for the intervening forces to get out before they have brought the people who organized the massacres or the ethnic cleansing to trial and established a new regime committed to enforcing the full set of human rights. If those goals are actually within reach, then, of course, it is right to reach for them. But intervention is a political and military process, not a legal one, and it is subject to the compromises and tactical shifts that politics and war require. So we will often need to accept more minimal goals, in order to minimize the use of force and the time span over which it is used. I want to stress, however, that we need, and haven't yet come close to, a clear understanding of what "minimum" really means. The intervening forces have to be prepared to use the weapons they carry, and they have to be prepared to stay what may be a long course. The international community needs to find ways of supporting these forces—and also, since what they are doing is dangerous and won't always be done well, of supervising, regulating, and criticizing them.

Conclusion

I have tried to answer possible objections to my argument as I went along, but there are a couple of common criticisms of the contemporary practice of humanitarian intervention that I want to single out and address more explicitly, even at the cost of repeating myself. A few repetitions, on key points, will make my conclusion. I am going to take Edward

Luttwak's critical review of Michael Ignatieff's *Virtual War** as a useful summary of the arguments to which I need to respond, since it is short, sharp, cogent, and typical. Ignatieff offers a stronger human rights justification of humanitarian warfare than I have provided, though he would certainly agree that not every rights violation "shocks the conscience of humankind" and justifies military intervention. In any case, Luttwak's objections apply (or fail to apply) across the board—that is, to the arguments I've made here as well as to Ignatieff's book.

First objection: the "prescription that X should fight Y whenever Y egregiously violates X's moral and juridical norms would legitimize eternal war." This claim seems somewhat inconsistent with Luttwak's further claim (see below) that the necessity of fighting not only forever but everywhere follows from the fact that there are so many violations of commonly recognized norms. But leave that aside for now. If we intervene only in extremity, only in order to stop mass murder and mass deportation, the idea that we are defending X's norms and not Y's is simply wrong. Possessive nouns don't modify morality in such cases, and there isn't a series of different moralities—the proof of this is the standard and singular lie told by all the killers and "cleansers": they deny what they are doing; they don't try to justify it by reference to a set of private norms.

Second objection: "Even without civil wars, massacres, or mutilations, the perfectly normal, everyday, functioning of armies, police forces, and bureaucracies entails constant extortion, frequent robbery and rape, and pervasive oppression"—all of which, Luttwak claims, is ignored by the humanitarian interveners. So it is, and should be, or else we would indeed be fighting all the time and everywhere. But note that Luttwak assumes now that the wrongness of the extortion, robbery, rape, and oppression is not a matter of X's or Y's private norms but can be recognized by anyone. Maybe he goes too far here, because bureaucratic extortion, at least, has different meaning and valence in different times and places. But the main ac-

*"No Score War," *Times Literary Supplement*, (July 14, 2000), p. 11.

tions on his list are indeed awful, and commonly known to be awful; they just aren't awful enough to justify a military invasion. I don't think the point is all that difficult, even if we disagree about exactly where the line should be drawn. Pol Pot's killing fields had to be shut down—and by a foreign army if necessary. The prisons of all the more ordinary dictators in the modern world should also be shut down—emptied and closed. But that is properly the work of their own subjects.

Third objection: "What does it mean," Luttwak asks, "for the morality of a supposedly moral rule when it is applied arbitrarily, against some but not others?" The answer to this question depends on what the word "arbitrarily" means here. Consider a domestic example. The police can't stop every speeding car. If they go after only the ones they think they will be able to catch without endangering themselves or anyone else, their arrests will be "determined by choice or discretion," which is one of the meanings of "arbitrary," but surely that determination doesn't undermine the justice of enforcing the speeding laws. On the other hand, if they only go after cars that have bumper stickers they don't like, if they treat traffic control as nothing more than an opportunity to harass political "enemies," then their actions "arise from will or caprice," another definition of "arbitrary," and are indeed unjust. It's the first kind of "arbitrariness" that ought to qualify humanitarian interventions (and often does). They are indeed discretionary, and we have to hope that prudential calculations shape the decision to intervene or not. Hence, as I have already acknowledged, there won't be an actual intervention every time the justifying conditions for it exist. But, to answer Luttwak's question, that acknowledgment doesn't do anything to the morality of the justifying rule. It's not immoral to act, or decline to act, for prudential reasons.

These three objections relate to the occasions for intervention, and rightly so. If no coherent account of the occasions is possible, then

it isn't necessary to answer the other questions that I have addressed. My own answers to those other questions can certainly be contested. But the main point that I want to make is that the questions themselves cannot be avoided. Since there are in fact legitimate occasions for humanitarian intervention, since we know, roughly, what ought to be done, we have to argue about how to do it; we have to argue about agents, means, and endings. There are a lot of people around today who want to avoid these arguments and postpone indefinitely the kinds of action they might require. These people have all sorts of reasons, but none of them, it seems to me, are good or moral reasons. ●

MICHAEL WALZER is co-editor of *Dissent*. A slightly different version of this article was given as the Theodore Mitton Lecture at Macalester College, St. Paul, Minnesota.

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Bearing Witness

Lejla Sabic

I WAS ALMOST fourteen years old when things became a mess. My school was half Serbian, half Muslim, but no one recognized the difference, and we were all together. My best friend was a Serbian girl named Boriana. One day, she told me as we were coming back from school, "Lejla, fill buckets or whatever you have in the house with water. If you have food, put it in the house." I said, "Why?" She said, "I cannot tell you." But she knew it, they knew it, that it was going to start. Serbians knew it, but we didn't. I didn't see Boriana again after that day.

In the beginning they were shooting, shooting, shooting, but they hadn't begun to kill yet. They were only in the sky, and it was like that for two or three days. My sister and I went to my aunt's house, and one night we heard people outside the buildings. It was Serbs who called themselves "White Eagles." They were the worst, they were not like regular soldiers. They walked around the building cursing as they called for us to "come outside!" We waited in the house. I was scared. I moved from window to window. I just wanted to find a place to hide.

My aunt's husband didn't have a gun, nothing, no weapon. Because there were three of us girls, he said, "If they come inside"—they didn't, thank God—"If they come in, I have only gasoline, and I will use it to burn all three of you." He knew that they would rape us, and he said he don't want to watch them doing that to us.

As the war went on there was food, then no food. The electricity was gone, there was no gas, and no water. We were happy when we had bread, but we had nothing to put on it. We received beans, rice, and sometimes cheese, but that wasn't enough, and it was dangerous to bring food in. When we finally got some potatoes and canned beef from the humanitarian aid, we prepared a special lunch. I said, "Thanks to God, I'm going to eat now." But just as we sat down to eat, I heard someone screaming from the street, "Oh, Mother, Mother!" I went to the window and saw a man picking up his leg that had been blown off. I saw others coming to drag him away from the snipers. But we called from the window, "Please don't go yet, stay there," because the snipers always tried to get the first one, then they would wait for people to come and save him, and then they would send another shot. Finally they removed him and put him in an ambulance. I couldn't eat lunch after that.

It's disgusting, you know, war is disgusting. At night it's dark, it's so dark, and you just feel something bad in the air coming at you.

Murder in the Neighborhood

David Rieff

EARLY ON THE first evening I spent in Sarajevo during the siege, I took a walk from my hotel to Marshal Tito Street in the center of town. The electricity was off, as it usually was in those days, but more luckily, the night was foggy. Luckily, because that meant it was relatively safe to move around. Snipers are not much of a danger except when it's clear, even when they have infrared night scopes. Having not yet learned to appreciate the literally life-giving gift that no sniper fire represented, I moved about a bit like a tourist. I had not yet learned to be afraid. What I remember most is how dark the streets were and how I felt as if I had moved from the world of color to a world of black and white. As an old man in high boots and a ragged coat passed by me, dragging a bundle of roped-together staves behind him, and then, a few meters along, as I passed an old woman begging, I thought that I had somehow landed in a Roman Vishniak photograph of one of the Jewish ghettos in Poland in the 1920s.

Outside the former Soviet Union and a few impoverished pockets of Slovakia and Romania, Europe was not supposed to look like this anymore. And it didn't. In Berlin, or Amsterdam, or Paris, old beggar women were Gypsies or recent immigrants from the non-white world, and if an elderly white man passed dragging an incongruous bundle, he was in all likelihood a released mental patient or a drunk. Sarajevo had been rich, pampered even, at least by Yugoslav standards. It had a Volkswagen factory and Italian tourists by the busload, local rock and roll, avant-garde theater, and its own Gypsies to do the begging.

To walk along a street in a European city

and have every ingrained assumption about what could reasonably be expected contradicted in almost every particular, to look at the marble of a historic Corso and see fresh mortar splashes that look like bear tracks, to catch glimpses in the dark of people's faces and clothes and not be able to situate them at all. . . This in a place where the social markers should have been familiar, and would have been, even a year earlier. But a year earlier meant before the war had begun and the siege ring had tightened around the city, like a noose around a throat. I might as well have been alluding to a previous geological era, so little relevance did that past have on this present.

Instead of being able to see everything and to find cognitive room for it, I could barely see anything and understood still less. It was not that there were no familiar reference points; there were. It was rather that enough of what was recognizable had been taken away, and enough of what remained had been so altered that it was easy to become disoriented. And that can get you killed in wartime. Even in the protected environs of Marshal Tito Street, far from the front line, there were no cars, only the sounds of talk and footfalls and, in the distance, the whistle, screech, thump, and thud, and the light flashes on the horizon that are the *son et lumière* of war at a safe distance.

I was not afraid. What I felt was intense surprise. "This is a siege," I kept thinking, "a siege in Europe in 1992." Of course, there were other sieges going on or just ended while I walked the streets of Sarajevo. There was Kuito in Angola, and Kabul, Afghanistan, which seemed as if it had been under murderous bombardment for decades. But this knowledge did nothing to mitigate my confusion. This siege was taking place an hour's plane ride from Vienna, which was another way of saying that this was a siege that was not supposed to be happening. Unbidden, the deadliest of all mod-

ern European historical analogies—Leningrad in 1942; the Warsaw Ghetto—rushed into my head. Throughout the Bosnian War, they were never to leave me. Perhaps, though I have since been to Kuito and have returned to Kabul—which I knew as an adolescent, when it was still intact—they never will.

I will not defend these analogies, at least if their validity depends on body counts. Sarajevo survived, unlike the Warsaw Ghetto, and though it suffered horribly, those sufferings pale next to those of Leningrad. But neither will I put up my own identity as collateral and pretend that I did not and do not feel more empathy for the people of Sarajevo than I did, than I do, for the people of Kabul, or that the analogy of the Warsaw Ghetto does not have more historical resonance for me, the comfortably deracinated descendant of Lithuanian and Galician Jews—who, with one exception, either came to America or were murdered by Germans—than that of, say, the Cambodian killing fields.

Note that I say empathy, not sympathy, let alone the palpably false and morally intolerable claim that under any circumstances a Bosnian life could be worth more than a Rwandan or a Kashmiri life. I think it wrong that the Western reporters who covered the war in Bosnia understood themselves to be documenting a slaughter in the neighborhood, and that this sense of connection gave the reporting we did a special urgency and perhaps elicited from many, though certainly not all of us, an especially passionate commitment as well—one that far transcended professional interest.

Of course, there were some reporters for whom Bosnia was too close to home. I am thinking here of journalists, but more commonly of activists for whom the European or North American identity he or she was born with is a burden if not a curse. These are people who, a generation ago, used to say they felt more at home in revolutionary Cuba or revolutionary Vietnam than they did in Dortmund, or Barcelona, or Chicago—the people whom Hans Magnus Enzensberger lampooned in his essay “Tourists of the Revolution.” Today, all revolutionary utopias having been closed indefinitely for repairs, such people tend to content themselves with saying

how uncomfortable they feel except in a few cosmopolitan Western cities and university towns and trying to live as best they can in a kind of internal exile within their own societies. For such people—and during the Balkan wars they were more commonly encountered amid the ranks of humanitarian aid agencies than among journalists—Bosnia was almost too familiar.

For the rest of us, whether we felt guilty or had an easy conscience about the matter, the profound empathy we felt for Bosnia made it seem like the center of the world. Now that the city has returned to its “normal” size, that is, now that it has been shorn of its symbolic significance and is a somewhat reduced version of what it was before the war—a smallish provincial city in southeastern Europe with a brighter past than future—it may even be impossible for anyone who was not there between 1992 and 1995 to understand what all that fuss, commitment, and passion on the part of outsiders was all about. If so, all I can say is that on a very basic level, while those of us who kept going back there could have fielded a host of explanations at the time, I’m not sure that we fully understood our own indissoluble connection to the place.

WE WERE NOT, after all, the Balkan equivalents of those foreign sympathizers who, in the heady days of Nicaraguan *Sandinismo*, were known as “sandalistas.” Far from being subjects of emulation, to a considerable extent the Bosnians seemed like oafish relatives. Before the war, it was they who had imitated us. Even during the war, one sat so often in living rooms under posters—depending on the social milieu and age of the people in question—of David Bowie, an S-Class Mercedes Benz, or of a Wim Wenders movie. But these cultural affinities, when combined with the sound of the shelling outside, and the realization that the child who wanted to prattle on about Lipizaner horses might get her head blown off by a sniper the next morning, made for a compelling mix. It was a combination of family obligation in the broad cultural and historical sense—that was where the empathy came in—and the imperative of solidarity for what were people’s very real suffer-

ings—that was where the sympathy came in—that made Sarajevo a cause and not just a story for so many of us.

Of course, it was a great story as well. Even those most heartbroken by what they saw knew that in their bones. In any case, to be a good journalist, as to be a good doctor, one needs that sliver of ice in the heart. The Balkan wars, after all, were the ultimate “man bites dog” stories. War was supposed to happen “out there,” in the poor world, not in Bosnia-Herzegovina, which, before 1992, had been one of the most industrialized corners of the southeastern corner of Europe. Remember, this was in the early 1990s, before most people in the West became almost accustomed once more to thinking about the Balkans as their great-grandparents had done—that is, as a war zone. And, of course, it was also long before the destruction of the World Trade Center, which symbolically ushered in the twenty-first century, much as the assassination of the archduke in Sarajevo in 1914 had symbolically ushered in the twentieth.

IT WOULD BE silly to deny that an indefensible racism—as well as what I insist was an utterly defensible and appropriate neighborliness—lay behind at least some of the sympathy so many of us felt for the Bosnians. To say this is not to let the reverse racists—those who care far more for the places that feel least like home to them—off the hook. But it is to concede that most of us have not progressed beyond tribal allegiance or, at the time the Bosnian War started, beyond what turned out to be the mistaken belief that Europe would no longer be a theater of war and atrocity.

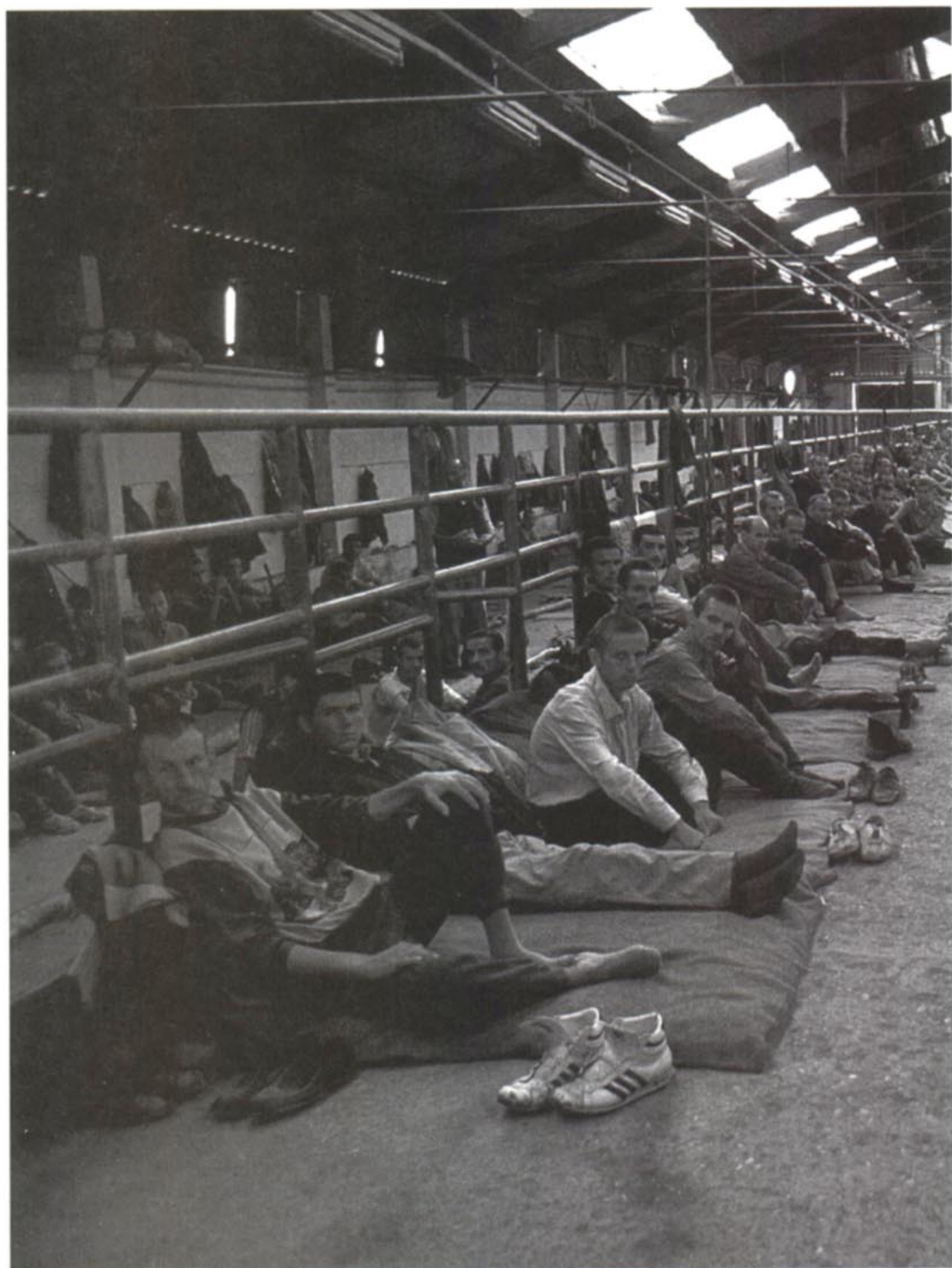
There, in retrospect, was a foolish, complacent thought. And yet part of this cognitive dissonance that was such an essential part of going to Sarajevo for the journalists and the aid workers was this blurring of the familiar with the unfamiliar, this sense that one was going to a place where everything one expected to happen was not happening and everything one imagined could never happen again was happening again. The American reporters who used to joke, to the slight mystification of their European colleagues, that going to Sarajevo

was like taking a trip into the Twilight Zone were not wrong. Because, all 1950s U.S. television references aside, in the Balkans the irreducibly heartbreaking was heralded, for most of us, by the irreducibly odd.

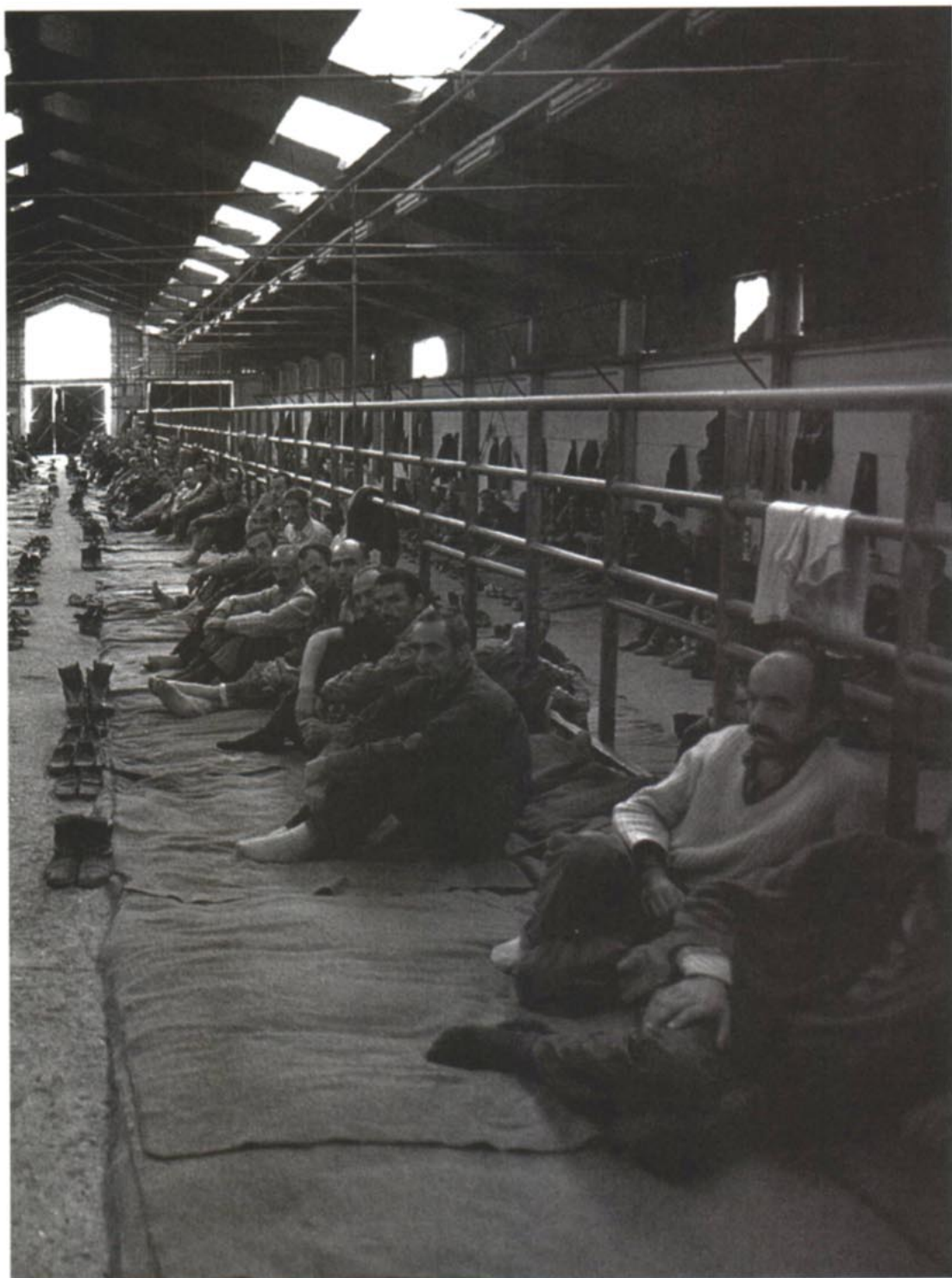
There was the oddity of being able to leave some comfortable hotel in an attractive, modern European city—usually it was Zagreb, in Croatia, whose charms, albeit mostly of the Hapsburg, *kaffee mit schlag* variety, are considerable—and, after an hour's plane ride, finding oneself in a place that only a few years before had had many of the same charms but now had nothing. And there was the oddity of reporters in Sarajevo being able to find their level—that is, a milieu not that different from the one they frequented at home—whether it was among fans of Michael Schumacher or Robert Wilson—but at the same time functioning professionally as they would in Africa or Central Asia—that is, in a context of war and privation that was utterly unlike home.

This simultaneous sense of displacement and familiarity was not restricted to the reporters. Many seasoned aid workers—whose professional deformation it is to ally themselves solely with victims in wars, and who tend to view the wars that cause the sufferings they try to address with utter skepticism and disenchantment, if not outright cynicism—were moved by Bosnia in ways that confused them. Like journalists, they too had grown accustomed to working far from home in places where the fundamentally impartial nature of their commitment was easier to sustain. But in Bosnia, it was hard for relief workers not to choose sides. Not just hard, but inappropriate—as inappropriate as it would have been had they been working at home, which, after all, at least for the Europeans, was on a certain level precisely what they were doing.

The sense that so many of us had that the war in Bosnia was not just monstrous, but shouldn't have been happening at all—an attitude that human rights activists may have entertained about a Rwanda or an Afghanistan but reporters rarely did—was certainly accentuated by the fact that so many Bosnians felt that way as well. They constantly talked about how what was happening to them should not be happening. More often than not, they did



Prisoners of war kept in a cowshed at Manjaca, Bosnia. Photograph by Ron Haviv/VII



not mean this in the irrefutable sense that what was happening was terrible or should not happen to anyone anywhere in the world. That feeling is one that is both shared and frequently expressed by any victim of any war or humanitarian disaster, from East Timor to Angola and Afghanistan to Burundi. But what the Bosnians often had in mind when they talked about their situation was that it should not be happening to *them*. And what they meant by that—some even came out and said so explicitly—was that they should not be suffering what they were suffering because they were Europeans.

"This is not Somalia," was the way more than one Bosnian acquaintance of mine put it. The assumptions that lay behind this were not hard to parse. Because the Bosnian middle classes, for all their Western European attitudes, had not experienced the sea-change of mass immigration from the poor world and the multiculturalist reorientation that it produced, at least among *bien-pensant* Europeans and North Americans, people in Sarajevo might have been more forthright about expressing such views. But had we who reported on the war been more honest about this to ourselves, we would have had to concede that we, and the audiences we wrote for, mostly shared the Bosnians' sense that being European should have immunized them from the rigors of war that they were undergoing.

It was not that the difference between Bosnia and some conflict in the poor world concerned the degree of suffering involved, despite what then-United Nations Secretary-General Boutros Boutros-Ghali claimed when, at the end of 1992, he lectured Sarajevans who had jeered him that he knew of ten places where people were worse off than they were. All attempts to create hierarchies of suffering in war are both ignorant and morally obscene. Rather, what distinguished the Bosnians' experience of what had befallen them and that of Rwandans, say, or Timorese, was their sense that it should not be happening to them. Like all Europeans, they believed they had been manumitted by history from a past that was, unquestionably, as tragic, cruel, and sanguinary as any in the world. They had assumed that the Second World War—the war of their parents and grandparents—had been the last war,

the last field of horror that their country would experience.

Of course, the fact that history—that Satan with a sense of humor—had something else in store for them was something that, understandably, for the first couple of years of the war they were unable to take in. But it was this tropism toward indignation over their fate (it had dissipated by the third year of the conflict, replaced by a bitter and perhaps all too rational combination of resignation, anger, and despair) that made Bosnia a unique experience among the wars of ethnic cleansing of the first post-cold war decade. Even the Kosovars took the hatred the Serbs bore for them (and which they repaid in kind) for granted. No Kosovar, apart, perhaps, from a few upper middle-class intellectuals in Pristina, was surprised. Angry, yes; bereft, yes; but not surprised. In this, Kosovo, though it was so close to Bosnia geographically, was more like a war in the poor world.

WHAT DISTINGUISHED the Bosnians was that they kept asking why it had happened to them. It was almost as if they thought they had a contract with the zeitgeist that said otherwise. Again, the contrast with Kosovo or with Africa or Asia could not have been more stark. Plenty of people in Somalia, or Afghanistan, or East Timor will ask why they lost a child, or a friend, or their property. But few will ask why bad things happened to Somalia, or Afghanistan, or East Timor. Unlike the Bosnians, people in those countries aren't under any illusion that they live in a place where history or, to put it more accurately, tragedy, has come to its end.

If they complain at all, they do so in the same terms that the great Renaissance historian and politician Guicciardini did more than half a millennium ago, when he enjoined his readers not to bemoan the fact that their city had fallen, because all cities fall, but rather to bemoan the fact that they had had the bad fortune to live at the precise time when their city fell.

To point this out is not to condescend to the Bosnians, as so many UN officials—living tax free and (from the point of view of those who came from the poor world) blessedly far

from their own home countries—did with such contemptible and predictable regularity. Before the collapse of Yugoslavia, the Bosnians had had no reason to think otherwise. It would be the worst kind of vulgar utopian solecism to imagine that, as their children's heads were being blown off by snipers and all the future seemed to hold was want, fear, indifference, and pain, people in Sarajevo should have said, "Well, you know, people in Kuito in Angola or in Kabul are actually having a far rougher time than we are, and, now that I think about it, the world is really paying a disproportionate amount of attention to us and not nearly enough to them."

No, if anyone deserves to be judged on this score—or interrogated about their motives and their moral bona fides—it is not the Bosnians. Attaching the label of selfishness, if one even wants to call it that, is another way of describing their humanness. But those of us who covered the war—above all, those of us for whom Bosnia transcended being a story and became a cause—are in a very different position. Unlike the humanitarian aid workers, for whom Sarajevo—no matter how tragic—was one tragedy on a long continuum of such horror that they had pledged their lives to alleviating, the journalists' identification with Sarajevo, and with the Bosnian cause generally, was unique. For better and for worse, I doubt that it will be repeated again in my lifetime.

HERE AGAIN, the Kosovo case is instructive. For although many of us sympathized with the Kosovars, we were under no illusion that we were in Sarajevo. By this I mean that in Bosnia, despite everything that happened, and despite the hate that eventually grew so strong in people's hearts that even the very loving were at least momentarily consumed by it, the comity that had existed between Serbs, Croats, and Bosnian Muslims was real—at least in the cities. The statistics to back this will be familiar to anyone who has ever paid attention to Bosnia: an intermarriage rate of more than 35 percent in Sarajevo in the year before the war; a common language; a common secular culture that looked toward Western Europe. These are the clichés of "multi-cult" Bosnia. But they also have the sin-

gular virtue of being true. In contrast, relations between Serbs and Kosovars were always a zero-sum game. Despite the fact that there have always been individual Serbs and individual Kosovars who felt (and feel) differently, the formula was simple: Albanians on top, Serbs get the chop, and vice-versa. The fact that the Serbs were usually on top throughout the course of Yugoslav history, and that the "ethnic cleansing" of Albanians from the province has had an imaginative and emotional hold on Serb intellectuals dating back at least to the nineteenth century and probably much earlier, does little, alas, to alter this.

And what the journalists encountered in Kosovo, they had encountered in Sierra Leone, where the conflict so often seemed to consist of the Krio elite versus the rest; or in Liberia, where it was the Krahn people versus the Americo-Liberians; or Pashtun versus Tajik and Uzbek in Afghanistan. This sickening list, an inventory of human beings behaving at their collective worst, which in the long run drives any journalist of feeling either to alcoholism and the deepest misanthropy or to another beat, seemed to many of us to have a sole redeeming exception: Bosnia.

So perhaps this empathy that the journalists felt for the Bosnians was not just Eurocentric self-love after all. I use the equivocal "perhaps" before of course Bosnia affected us as Europeans and Euro-Americans in the sense that it seemed like an affront not just to our values but our expectations. Before Bosnia, journalists, most of whom are at least somewhat left wing, imagined that whatever horrors the future held in store, fascism was not one of them. Then there came Slobodan Milosevic. When my colleague Ed Vulliamy, the first journalist to penetrate the Serb gulag in northern Bosnia, entered the Omarska concentration camp, one of his first reactions was to despair. This could not be happening again, forty-seven years after the liberation of Auschwitz and Dachau.

Like the aid workers, many of us had not simply spent a great deal of our professional lives away from Europe and North America, but had devoted our careers to trying to make those who read our work or looked at our pictures care about non-European, non-North

American tragedies. But we were certainly Eurocentric in the negative sense that we had imagined that after the Holocaust Europe had learned its lesson. Was this a species of vanity or self-love? I suppose it was. Nonetheless, I am not prepared to repudiate it. For it was this sense that what was going on in Bosnia should not have been happening that gave us our energy—our willingness to expose ourselves to the risks we took, year after dispiriting year.

The journalist's credo is one of passionate noninvolvement. At their best, journalists make assumptions about the proper stances they should take and the attributes they should embody that are not only humanly over-ambitious, but also largely contradictory. Most journalists aspire to be both professional insiders and professional outsiders at the same time. They fancy that they know how to be comfortable in any milieu from an ambassador's dinner table to the communal feeding station in a refugee camp, and from Friday prayers in Cairo to a meeting of Lacanian analysts in Berkeley. And yet, at the same time, they usually pretend to themselves and to others that they belong nowhere, have long ago severed their ties with their origins, whether ethnic, religious, or racial, and, more convincingly, that they have grown accustomed to viewing the world with a certain distance. They do not claim to be objective, of course, because they know that real objectivity is impossible, nor do they confuse distance with detachment. How could they, since their stock-in-trade is storytelling?

But it would be idle to pretend that any of us feel equally engaged in every story. To talk autobiographically, I took a great many risks in Bosnia that I would not have been willing to take in a conflict where I was indifferent to the outcome. In the breakaway Georgian province of Abkhazia, shortly before the capital, Sukhumi, fell to the rebels, I was briefly trapped in the presidency building. The rebels had Sukhoi jets whose bunker-busting bombs were rumored to be able to penetrate nine stories below ground level. I remember thinking, "I don't give a fuck who wins this damn war. They're all a bunch of swine. All I want to do is get out of this place in one piece."

Fortunately, I did. Alexandra Tuttle, the extraordinary *Wall Street Journal* correspon-

dent, did not. She died when the last plane out of Sukhumi was shot down by a rebel Triple-A. Every time I think of Abkhazia, I think of her. But dozens of foreign correspondents were killed during the Bosnian War, and hundreds hurt, either through wounds or the road accidents that were one of the stranger subplots of the war. I knew a number of them, and think of them often. But when I think of Bosnia, I do not think of my dead colleagues; I think of Bosnia. And when I think of the risks I took (risks that, at their most extreme, pale into insignificance compared with what others did), I think, without any hyperbole, that it was the least I should have done.

THE REASON for this is simple: I believed then, and I believe now, that Bosnia was worth dying for. In affirming this, I think I am simply stating openly what most of us who covered the war believed, and what drew us back to Sarajevo, or Travnik, or Tuzla, or Mostar, month after month and year after year. I do not want to exaggerate the quality of our conduct, let alone the effect we had, because although we did manage to keep the story alive, we did not manage to provoke the intervention most of us yearned for.

But at least for many of us, Bosnia was our generation's Spanish Civil War. Like our predecessors, who sided with the Republic in 1936, we thought our obligations went far beyond telling stories or reporting the news.

I do not want to tell war stories, and I won't. What is obvious is that what seemed like a moral imperative to those of us who felt this way about Bosnia must have seemed like prejudice to those who did not take the Bosnian side. I am not referring to the pro-Serb groups in Western Europe and North America. They were either Serb nationalists or extreme leftists like Noam Chomsky, whose worldview could be summed up as "There is no wickedness in the world greater than the wickedness of the United States" and whose view about the Bosnian War could be summed up as "Better a Serb victory than a NATO victory." Unsurprisingly, these same fools are peddling a remarkably similar line about Osama bin Laden.

But there were many people, particularly within the United Nations and the European

policy establishment, who took a “plague on all their houses” view of the Bosnian War. For them, pro-Bosnian journalists like me had simply been unwilling to hear the bad news that there was no right side to the conflict, only degrees of wickedness on the part of the political leadership of the Serbs, the Croats, and the Bosnian government and civilian victims who needed aid. I will go to my grave not simply believing that these people were wrong, but that their commitment to this brand of impartiality was a species of appeasement that cost eight thousand men and boys in Srebrenica their lives and led ineluctably to the Kosovo crisis. Again, the comparison to the conduct of the League of Nations and the so-called Sanctions Committee during the Spanish Civil War that, in the name of impartiality, denied the Spanish Republic the means to defend itself while weapons and troops were pouring into the Fascist side from Italy and Germany seems all too appropriate. As a result, for me, Kofi Annan, Nobel Peace Prize or no Nobel Prize, is and always will be the Pontius Pilate of our age. But in fairness, people who thought like Annan were right to believe that the press in Bosnia was not objective.

FOR ME THAT lack of objectivity is a badge of honor. I do not think that we had the obligation to be objective about the Bosnian War any more than a journalist in 1940 would have had the obligation to be objective about the Second World War. Journalists were not permitted into the Warsaw Ghetto, but one would hope that had a reporter managed to get in, he or she would not have written a piece that tried to present the German and the Jewish points of view as if they were morally of equal weight. That I immediately gravitate to this analogy makes it clear how clear I believe the issues were in Bosnia. Because of course a journalism that was always partial, that gave up all pretense to objectivity, would soon deteriorate into polemic and advocacy. By definition, what my colleagues and I practiced in Bosnia has to be the exception rather than the rule. Just as every first-year philosophy student learns about limiting cases, why shouldn't there be limiting cases in journalistic practice—that is, events that demand that one no longer even

pretend to be objective?

Were there pitfalls to this approach, moral hazards that we navigated with difficulty and, at times, failed to address? Absolutely. Those of us who were convinced of the rightness of the Bosnian cause tended to underplay the corruption of Bosnian political elites, who, throughout the war, even in Sarajevo, were making fortunes off the conflict, doing private deals with the Serbs, and placing family members, friends, and mistresses in cushy jobs abroad. We also wrote less than we should have about the relation between war and crime on the front line, where the black market flourished even in the worst moments of fighting, and about the cruelty of combat and the fact that torture was practiced routinely and prisoners taken only when the possibility of ransom existed. If I am making an inventory of what we should have written about, I would add that while we wrote about the way the Serbs used rape as a weapon of war, we did not write about the ubiquity of “nonpolitical” rape on all sides of the line.

But again, I would insist that an analogous list of subjects could have been made up during the Spanish Civil War. Did Ernest Hemingway write enough about the murder of priests by the militia of the Workers Party of Marxist Unity (POUM)? Of course, he didn't. Did Martha Gellhorn sufficiently understand the degree to which the Soviet Union was using the Spanish Republic for its own ends? From my small knowledge of her, even at the end of her life, I doubt she took in that piece of bad news completely. But do these and the many other sins of omission committed by journalists who sided with the Republic change the fact that by, in a certain sense, betraying their canon of impartiality, they did or at least tried to do the right thing? I don't believe so. And that justification—not a journalistic one, but a moral one—both accounts for what we did in the Bosnian War and may excuse what we did not do.

Again, I do not want to minimize the hazards of the decisions we took. The famous story about Jean-Paul Sartre at the end of his life telling an interviewer that he had known about the Gulag all along but that he had said nothing because he did not want to demoralize the

French working class should be a cautionary tale to anyone who believes that the truth may be sacrificed for a good cause. But while we were partial, I do not believe that any of us ever lied for Bosnia. That obligation to tell the truth, whether it aids the cause of justice or retards it, is, I believe, the irreducible obligation of the writer, the reporter, and the photographer. Beyond that, morally speaking, we're on our own—as we should be.

I HAVE WRITTEN about the challenges that Bosnia posed to the journalists' approach, and though I have defended what we did, I will always wonder if we could have done it better. When all is said and done, what I really regret is not that there was a Bosnia to challenge all the received wisdom about impartiality or to pose the problem of Eurocentrism, no matter how reluctant, but rather that there are so few Bosnias. By "coming home" to Europe, Western journalists found their moral center again, however briefly. Anyone doubting this has only to look at the quality of the work that was produced during the Bosnian War. Has any press corps written or photographed better? I doubt it. And if the work was real, it was because the commitment was absolute.

Will it be reproduced? Someday, doubtless it will be. But for now, the model is Afghanistan, not Bosnia. In this new crisis, the journalists are back on familiar ground. At best, like me, they will reluctantly support the war, knowing full well how filthily it will be waged and how shabby the political compromises involved will be. Or, alternatively, they will find themselves seeing the conflict as one in which they are forced to move across frontlines between militarism and fundamentalism. Certainly, no journalists will go back to Kabul, or Quetta, or Herat because they believe Afghanistan is worth dying for on moral grounds. They, we, will go because the story is important, because someone must give voice to the refugees, because one has a professional obligation, or because that is what one is paid to do. Unlike in Bosnia, there will be little confusion of roles, no worries about whether one is behaving too much like an activist and not enough like a journalist, and no need to wear one's heart on one's sleeve. We will be back in the world of old habits, modes of feeling, and complaint. ●

DAVID RIEFF is the author of *Slaughterhouse: Bosnia and the Failure of the West* among other works.

To Our Contributors

A few suggestions:

- (1) Be sure to keep a copy of your manuscript. And please remember that we can't consider articles unless they're accompanied by a stamped, self-addressed envelope.
- (2) Please don't write to ask whether we're interested in such and such an article—it makes for useless correspondence. Look at our last few issues to see if your idea fits in. Or take a chance and send us your article. We will not consider manuscripts submitted simultaneously to several publications.
- (3) Type your ms *double-spaced*, with *wide* margins. Check all your figures, dates, names, etc.—they're the author's responsibility. Please use inclusive language so that we don't have to make adjustments during editing. If you are submitting to *Dissent* electronically, our e-mail address is editors@dissentmagazine.org.
- (4) Notes and footnotes should also be typed double-spaced, on a *separate* sheet. As we're not an academic journal, we prefer that they, wherever possible, be dropped altogether or worked into the text.
- (5) We're usually quick in giving editorial decisions. If there's a delay, it's because a few editors are reading your article.

THE EDITORS

Paying for the Powell Doctrine

Peter Maass

IN THE EARLY days of the Bosnian War, Colin Powell, who at the time chaired the Joint Chiefs of Staff, came to the conclusion that stopping the fighting would require the use of 250,000 troops. Then-President George Bush took his advice to heart and, fearing another Vietnam, opted to keep U.S. troops at home, safe and sound. Powell's estimate seemed reasonable because the fighting in Bosnia was vicious, and under the Powell Doctrine, the U.S. government, when intervening abroad, would rely on the military equivalent of a sledgehammer, never a chisel. You can't miss with a sledgehammer, Powell believed.

In Washington, few politicians challenged Powell's judgment. The headlines from Bosnia told stark tales of torture, executions, concentration camps, and sieges. Bosnia was in the grip of genocide, and genocide, as everyone knows, is a massive and infernal machine—Evil and Apocalypse entwined—and it cannot be defeated on the cheap. Americans tend to equate the face of genocide with Adolf Hitler, not Radovan Karadzic. If you want to defeat Hitlerian evil, you must, it follows, amass the forces of D-Day and have a great generation on hand to storm the beaches (or mountains or deserts or jungles, as the case may be). Understandably, few politicians wished to send untold numbers of GIs to an obscure and violent country where it was hard to figure out who was committing genocide against whom and where American blood would seep into soil that contained no oil.

If you were in Bosnia at the time, as I was, the situation would not have appeared so fuzzy. You might have wondered, as I did, where Powell was planning to put all those troops, and what they would do. Genocide is a strange ani-

mal; it is monstrous, but not a monster. I met and occasionally shared a glass of brandy with more than a few war criminals in Bosnia, and I learned that these were not brave men and women, and that their numbers were not so immense. Many of the atrocities in the war were committed by paramilitary squads drawn heavily from Serbia's underworld; these soldiers—I use the word with great caution—were excellent killers of civilians and takers of whatever loot they could find, but they would not have fared well against an army, which, at the beginning of the war, the newly independent Bosnian government did not have. That is why the Serbs were able to seize so much territory at the start—they faced no organized opposition. Once it took shape, Bosnia's army found itself fighting an uphill battle and suffering from an international arms embargo that starved it of the weapons it needed to mount offensives (or defenses).

THE SIEGE OF Sarajevo was maintained by heavy weapons and lazy soldiers like Dragisa, who made a point of not volunteering his last name when I visited him in the fall of 1992 at his place of work, a fortified machine-gun nest in the hills above the Bosnian capital. His job, and the job of the three soldiers he worked with, was to fire occasionally at the Sarajevans below them. Their aim was to terrify as much as kill. Return fire was infrequent, more a nuisance than a threat. Dragisa, who had a middle-aged paunch, possessed the high ground as well as a big gun and was surrounded by folded coils of ammunition that evoked the image of a pit of lazy snakes. He made himself comfortable in a cozy bunker with a stove. He was a bully, not a fighter. A few miles up the road from his lair, I visited one of his leaders, Biljana Plavsic. Plavsic is now on trial at The Hague as an architect of Bosnia's genocide, but in 1992 she

operated out of a hotel at the Jahorina ski resort, which was closed for business because of the war. After walking down a maze of empty corridors, I found her alone in a small office, shivering in a winter jacket. There was no heat, no electricity. This was no Berchtesgaden.

That is what Bosnia's genocide looked like from the inside—cowardly and pathetic. This truth had the misfortune of going against conventional wisdom and political convenience, and so it was ignored or disbelieved for far too long. "The Serbs are not ten-foot-tall headhunters who would fight to the last drop of blood," an American diplomat in Zagreb told me one day. "Why don't we bomb targets in Bosnia and Serbia? My God, what are we paying \$200 billion a year for—what is our military for? If you define our army as a force that won't risk taking casualties, then we don't have an army. We have Boy Scouts." A few hours later, the diplomat called and asked that I not use the quote, even though, as he knew, I would not cite his name. He was afraid that Powell would figure out who was behind the swipe and exact some form of bureaucratic revenge. It was dangerous for American officials in the Balkans to bring inconvenient facts to the attention of their superiors back home.

GENOCIDE IS A fearsome word, evoking a phenomenon nearly biblical in its fury; we should not be surprised that politicians retreat in its presence. How can a few thousand GIs defeat it? Would not their weapons be like spears against a tidal wave? But we should not feel helpless in the search for the DNA of genocide and ways to defeat it. Genocide is a policy, not a monster. It is implemented, often imperfectly, by men and women, not Goliaths. With skill and luck, it can be defeated by military intervention. Not always, but sometimes. The genocides of the 1990s in Bosnia and Rwanda succeeded not because they were unstoppable, but because international opposition was almost nonexistent. In Washington, defeating genocide was less important than getting it off the front page, even if that meant letting genocide succeed.

There was another route. The conflict in Afghanistan presented American policymakers with all of the obstacles that stopped them in

their tracks in Bosnia: an apparently fearsome opponent (the Taliban, which wasn't so fearsome once the fighting began); a potentially slippery slope beginning with limited intervention (which wasn't so slippery in Afghanistan, because, as of this writing, there appears little prospect of long-term military action); and geographical terrain that was unfavorable to the weapons and warriors of a superpower (yet the rugged Afghan mountains did not protect the Taliban from destruction). If we could crush the Taliban in Afghanistan, we could have crushed the Serbs in Bosnia. The missing factor, in the Balkans, was quite simply the desire to fight that war.

Among soldiers, defeat lingers longer than victory because it involves a loss of pride and a loss of lives on a mission that failed. These failures stain the mind forever, like dye on a shroud. That has been the case with the generation of officers who fought in Vietnam and who decided that the next time they were called upon to do violence in a distant land, they would make sure they had all the resources needed to win. Colin Powell, an Army major in Vietnam during the heaviest fighting there, turned those sentiments into national policy when, as chair of the Joint Chiefs of Staff from 1989 to 1993, he formulated his eponymous doctrine. Distilled to its essence, the Powell Doctrine calls on civilian leaders to do two things in considering war—provide the military with a clear mission and give the military whatever resources it deems necessary to carry it out. Here is how, in a PBS interview that aired in January 1996, Powell described his preference for "decisive force" in a foreign engagement: "If this is important enough to go to war for, we're going to do it in a way that there's no question what the outcome will be, and we're going to do it by [using] the force necessary to take the initiative away from [the] enemy and impose [our] will upon him. If you're not serious enough to do that, then you ought to think twice about going to war."

In the winter of 1992, as he fended off demands for U.S. military action in Bosnia, Powell described the flip side of his doctrine. "If force is used imprecisely or out of frustration rather than clear analysis, the situation can be made worse," he wrote in a *Foreign Affairs*

article entitled "U.S. Forces: Challenges Ahead." "We should always be skeptical," he continued, "when so-called experts suggest that all a particular crisis calls for is a little surgical bombing or a limited attack. When the 'surgery' is over and the desired result is not obtained, a new set of experts then comes forward with talk of just a little escalation—more bombs, more men and women, more force. History has not been kind to this approach to war-making. In fact, this approach has been tragic."

In the war on Iraq, Bush the Elder's administration provided a clear mission—liberate Kuwait—and authorized the decisive force requested by the Pentagon. Powell was thus able to stand before journalists on January 23, 1991, and announce with the confidence of a general who had a half-million troops preparing to attack, "Here's our plan for the Iraqi Army: We're going to cut it off, then we're going to kill it." When the dust settled after the hundred-hour ground war, the Iraqi Army had not been killed. Enough of it remained to keep Saddam Hussein in power. But the Iraqi Army had been forced from Kuwait, and the loss of American life was slight. Powell was a hero, hailed as a visionary who knew when and how to fight.

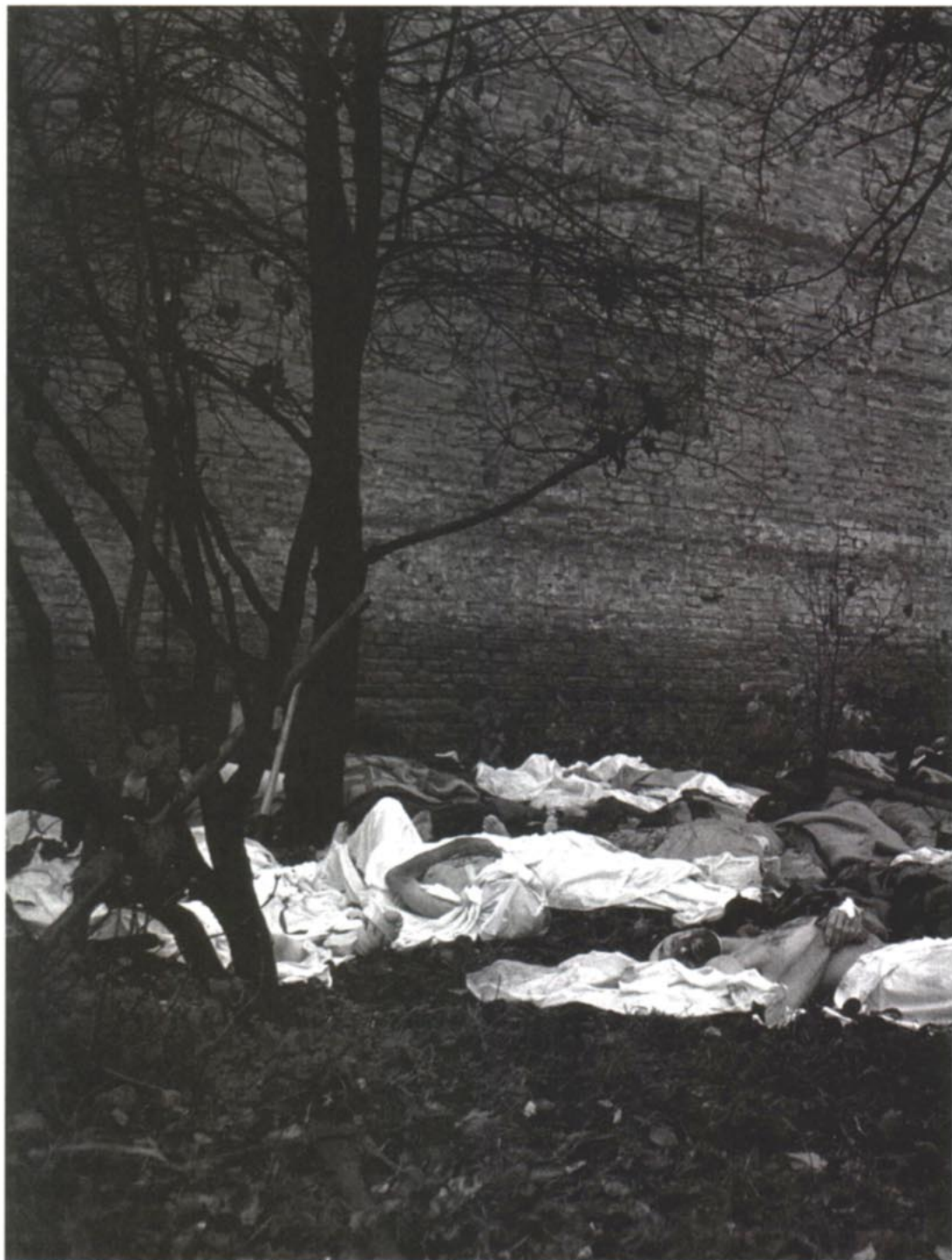
Bosnia was everything Iraq was not, or so it seemed. The threat to U.S. security was not apparent. How could a country that most Americans had never heard of become, all of a sudden, so important that we should shed blood for it? In Washington, Slobodan Milosevic was not viewed as a Balkan Saddam or even a Balkan Mussolini. In fact, there was no shortage of American officials treating him as a respectable statesman. Even if Milosevic was guilty of war crimes that threatened our national interest—a big "if" at the time—what should our intervention seek to achieve: a cessation of fighting, a withdrawal of Serb forces from Bosnia, or the downfall of Milosevic? Powell sensed a quagmire. In an October 8, 1992 *New York Times* opinion piece entitled "Why Generals Get Nervous," he did not hide his disdain for reporters whose dispatches indicated a need for American action. "We have learned the lessons of history," he wrote, "even if some journalists have not."

But journalists were not the only ones who failed to genuflect before the lessons of history that Powell worshipped. In the crucial first year of the Bosnian War, Madeleine Albright, U.S. ambassador to the United Nations, was the principal advocate for intervention within the Clinton administration. She was not afraid to speak her mind to Powell, asking him, during one contentious meeting, "What's the point in having this superb military you are always talking about if we can't use it?" This was an accusation, and as Powell recalled in his 1995 autobiography, "I thought I would have an aneurysm."

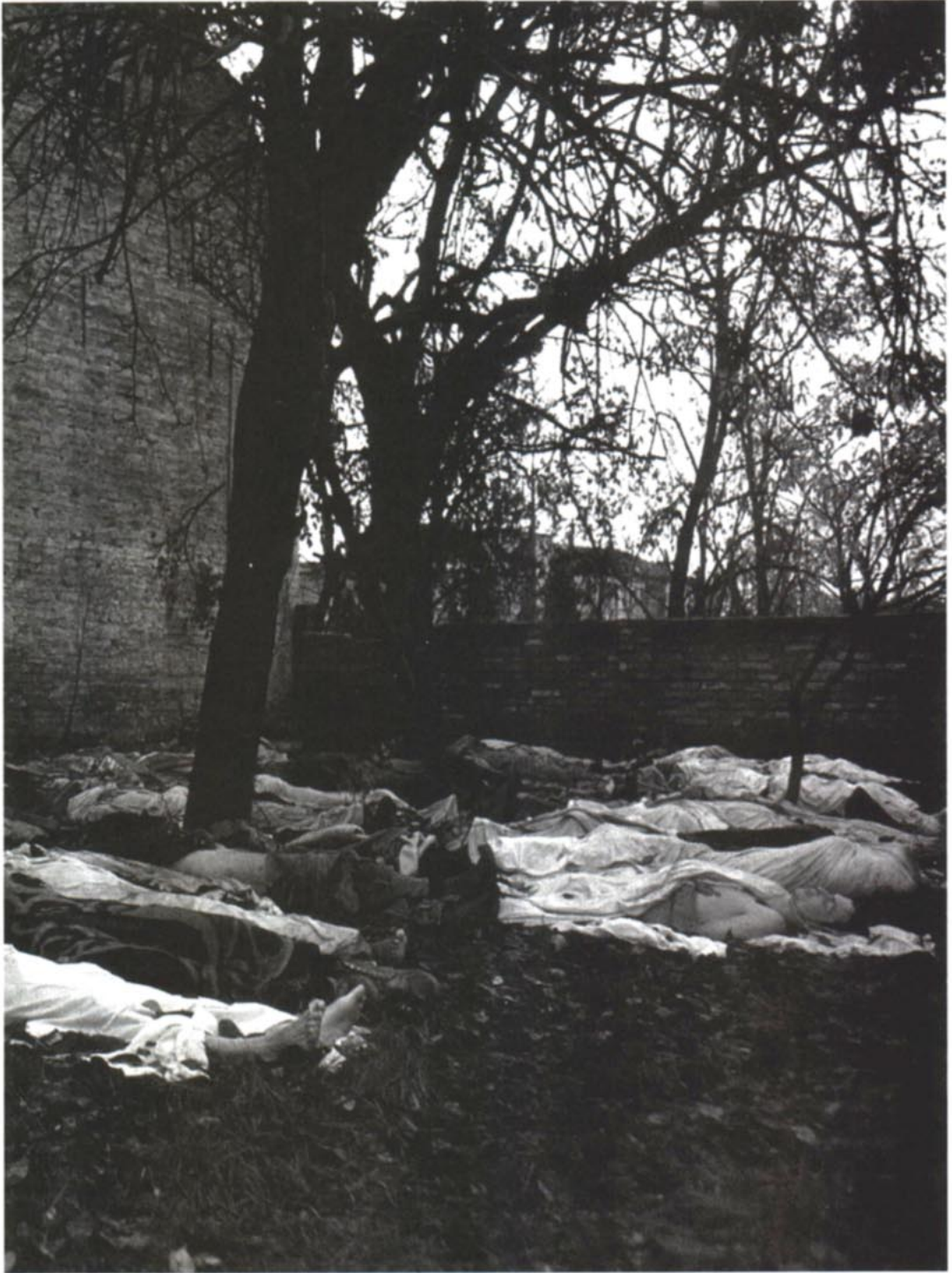
Powell cherished the warning from George Santayana that those who cannot remember the past are condemned to repeat it. But Powell turned the warning into dogma, failing to realize that the future may not resemble the past, and yesterday's lessons may not solve tomorrow's problems. Albright realized this. The daughter of a Czech diplomat who fled to America as the Second World War began, she knew a genocide when she saw it, and she knew the genocide in Bosnia could be stopped, if only the men with stars on their shoulders could look at Bosnia without seeing Vietnam.

THE BOSNIAN Serb Army consisted of approximately fifty thousand soldiers, according to most estimates. They were a less-than-awesome force, not for any lack of armaments—they had adequate stocks of small weapons, mortars, artillery and tanks—but for their training and morale. The army was an ad hoc collection of new conscripts and veterans of the Yugoslav National Army. For the most part, they had not fought to capture the territory they held in Bosnia. They pretty much took what they wanted in the first weeks of the war, when there was no organized opposition to the paramilitary death squads that were the shock troops of genocide. Until the final months of the war, little territory changed hands. Serbs held about 70 percent of the country almost from start to finish. Their principal strategy was not to attack, but to bomb and besiege and wait for the other side to surrender. It was an effective strategy.

General Ratko Mladic, the Bosnian Serb military leader who has since been indicted for



Bodies lie unburied outside a hospital in the Croatian city of Vukovar. Shelling was so great during the last days of the siege that it was impossible to bury the dead. Photograph by Ron Haviv/VII



war crimes, had a sufficient number of loyalists to lead his troops, but the troops themselves were reluctant to stick their necks out. Except for the early days of the war, there were no queues at recruiting outposts in Serb-held territory; instead, there were roadside checkpoints to prevent fighting-age males from escaping to Serbia. Although the vast majority of Serbs in Bosnia supported the war, few wanted to die for the cause; they had no stomach for close combat against people who could defend themselves.

I learned this lesson in Banja Luka, the largest city under Serb control. On a hot afternoon in the summer of 1992, I came across a teenager named Boris. His blond hair was tied into a ponytail and he wore the sort of small-lensed glasses worn by John Lennon; for all I knew, Boris was a Beatles fan, too. The war was not six months old, but already Boris had no appetite for it. "The Serb people are being seduced," he told me. "They don't know what is happening. They see what they want to see, or what others want them to see."

But Boris was no dissident. He would turn eighteen soon, draft age, and when I asked what he would do he didn't need to think about it. "I will go to the army," he replied. "It's better than jail." I don't know what happened to Boris, but it seems unlikely that he would have stepped forward when a call went out in his unit for volunteers for dangerous missions. He was not unusual. There were kids like Boris throughout the Bosnian Serb Army, kids who would much rather watch MTV than risk their lives in a war that was destroying a way of life that had been quite agreeable to them.

There was a Wizard-of-Oz quality to the Serb military machine—look behind the curtain and you will not find the ten-foot tall monsters you expect. This state of affairs was illustrated, vividly, in the winter of 1992, when I visited the town of Rogatica, a choke point of the four-year Serb siege of Gorazde, where thousands were killed by the shells or the cold or the lack of food. Gorazde suffered a shortage of everything but ways to die. I was traveling with two British colleagues, and because we didn't have passes to be in the area, the commander at Rogatica greeted us by threatening to shoot us. We received the usual anti-

NATO, anti-Muslim spiel, then were invited to his office, where the ashtray consisted of a spent artillery shell. One of us said something that enraged the commander and he proceeded to blow up again, grabbing my notebook and ripping pages from it.

After threatening, again, to kill us, he quieted down and apologized for his behavior. He returned my notebook. We talked some more and then accepted his invitation for a meal in his canteen. Over bowls of bean soup, he complained about his hard life on the frontline, telling me that his unit seemed to be forgotten by higher-ups, that he was bored, and that he hadn't had sex for ages. He asked when we had last had sex. An uncomfortable silence prevailed. When schmoozing with frontline soldiers, I prefer to offer appropriate answers rather than accurate ones, if the two happen to vary. But I did not know the appropriate answer in this case, and neither did my colleagues. Our interpreter volunteered that he had had sex with his girlfriend a few days earlier. This revelation cheered the commander. He liked being in the presence of someone who had carnal knowledge that was not months old.

I mention this incident only because the commander was a losing figure. Yes, he would not hesitate to order another round of shelling of Gorazde, but he seemed more interested in his own well-being and self-pity than anything else. Ho Chi Minh would have booted his fat ass out of the army. If Powell imagined Vietcong-like resistance and fortitude in the hills of Bosnia, I wish he could have been with me in Rogatica. Defeating these bullies would not have required massive intervention; in reality, the military equivalent of a nudge would have done the job, and eventually did.

BOSNIA'S GOVERNMENT did not need foreign troops to fight its war; it had plenty of troops of its own, more than 100,000. It needed weapons. As the wars began in the former Yugoslavia, the United Nations imposed a weapons embargo on all sides in the disintegrating country, and this strategy played into Bosnian Serb hands, because they had ample stockpiles of armaments and a vibrant weapons industry in Serbia to resupply them. The newly formed Bosnian Army, however, had few

weapons and no factories. It was surrounded by Serbia and Croatia (a part-time ally, part-time enemy) and resorted, in dire moments, to handmade mortars.

How could the UN refuse to protect the Bosnians *and* prohibit them from purchasing weapons to protect themselves? The rationale for arms embargoes is that if you starve a conflict of weapons, the fighting will stop or slow down, even if there is leakage due to black-market deals. In Bosnia, the rationale did not hold, because one side, which started the war, had plenty of weapons, and the other side, which had few weapons and did not want or expect a war, was being slaughtered. (About two hundred thousand people, mostly Muslims, were killed in the war, according to an estimate used by the United Nations High Commissioner for Refugees.) The embargo was immoral because it abetted genocide. It nonetheless suited the U.S. and its allies on the Security Council because they wished for the fighting to cease as soon as possible, and the embargo meant the Bosnians had to accept whatever terms the stronger Serbs demanded. The Bosnians needed to realize they could not win the war, and the best way to make them realize that was to make sure they could not acquire weapons that might enable them to win. It was the kind of realpolitik that brings great satisfaction to the Henry Kissingers of our world, and to the Colin Powells.

To better understand the unfortunate logic of the situation, imagine a lopsided boxing match in which the losing boxer has one hand tied behind his back and pleads with a spectator to free the tied hand. The spectator, who just wants the bloody spectacle to end, balks at the request and urges the boxer to take a fall.

The metaphor is a simplification but useful to keep in mind. Different experts provide different opinions on the effect of arming the Bosnians. My view, which is not a minority one, is that lifting the embargo—and, going a step further, providing the Bosnians with weapons—would have stopped the genocide and enabled the Bosnians to retake territory seized by Serbs in the first weeks of the war. After all, the Serbs were not great or even good fighters. When Croatia re-armed and, in 1995, re-

took a swath of territory that had been held by ethnic Serbs since 1991, the Serbs hardly bothered to fight. They ran. When NATO bombed the Bosnian Serbs in 1995, they caved in after two weeks. In the following years, when troops of the North Atlantic Treaty Organization made occasional arrests of Bosnian Serb war criminals, there were no revenge killings of NATO personnel. Notice a pattern?

It's important to remember, too, that the provision of weapons to Afghanistan's Northern Alliance, by Russia and the United States, played a key role—along with the U.S. bombing campaign—in giving Northern Alliance fighters the edge they needed to roll over the Taliban.

BUT WHAT IF the Bosnians committed atrocities with the weapons we supplied or allowed them to be supplied with? Would we have then become accomplices to their revenge killings? This was a frequently heard objection, and it had some validity. In 1995, when Croatia reconquered the Krajina region, the scene was not pretty; ethnic Serbs who had lived there for centuries were so terrified that they fled to Serbia, and many who stayed behind were brutalized or killed by vengeful Croats. In 1999, when NATO's bombing campaign led to the withdrawal of Serb military forces from Kosovo, ethnic Albanians celebrated by "cleansing" Serb civilians who had not retreated; this retaliation was an embarrassment for the Western countries that had ended Serb barbarism, only to see it replaced by an Albanian variant.

Would the same pattern have occurred in Bosnia? I strongly doubt it. The Croatian troops who attacked in 1995 were fighting on behalf of a government that was every bit as nationalist and thuggish as the Serbian regime led by Slobodan Milosevic. The Kosovo Liberation Army, responsible for the killings of Serbs, was a generally disreputable assemblage of young men who wanted to purge every Serb from Kosovo; most Albanians in Kosovo shared their goal.

Bosnia was different. The Bosnian Army, despite the cruelties inflicted on civilians it was trying to protect, did not engage in systematic killing sprees when it managed to retake sliv-

ers of territory. Did atrocities occur? Yes. Were they widespread? No. The majority of Bosnia's Muslims did not wish to live in an ethnically pure state. To be sure, revenge killings would have occurred if their army had retaken Serb-held territory, but not, I believe, on a significant level. If we demand that an army be atrocity-free to merit international support, then no army including, our own, could ever meet that criterion. In Afghanistan, we have had no trouble looking the other way as Northern Alliance soldiers executed Taliban or al Qaeda fighters.

Skeptics also argued that lifting the embargo would not have been enough. The United States, they said, would have needed to train the Bosnians to use the new weapons, and as everyone knows, military trainers are the first step on the slippery slope to full-scale intervention. This argument is no sturdier than a two-legged table. The warfare in Bosnia was primitive. The Bosnian Army needed simple materiel, such as anti-tank guns, mortars and artillery pieces, as well as ammunition. Little training or assembly would have been required by outsiders. The Bosnians were not in the market for smart bombs.

Pentagon and administration officials talked up a geopolitical doomsday in which lifting the embargo would spark a much broader conflict, because Milosevic might send the Yugoslav National Army into Bosnia to defend Serbs, or perhaps the Russians would become involved, leading to a U.S.-Russia face-off in the Balkans. This scenario was paraded around like a strategic missing link, and it, too, was lacking in reality. As subsequent events showed in Croatia and Bosnia, Milosevic did not send in his troops to defend Serbs once they were attacked by stronger forces. And in 1999, when NATO bombed Serbia, the Russians stood aside, grumbling.

FOR THE SAKE of argument, let us assume that maintaining the embargo was a wise policy. What other options were available, short of dispatching 250,000 troops? For three years, the Clinton administration and its European allies insisted that bombing could not end the war. David Owen, lead negotiator for the European Union, memorably accused

pro-intervention editorialists of being "laptop bombardiers." But by the summer of 1995, Serb behavior in Bosnia became too odious for Western leaders to overlook any longer—the "safe haven" of Srebrenica had been stormed by Serb troops, who massacred thousands of prisoners and took UN peacekeepers hostage. Shortly after, a Serb mortar attack killed thirty-eight people in Sarajevo. A NATO bombing campaign was begun. It was a limited affair, with just thirty-five hundred sorties on Serb targets in Bosnia over eleven days; when compared to NATO's seventy-eight-day bombing of Serbia in 1999 with more than thirty-eight thousand sorties, the campaign in Bosnia is revealed as a mild slap. Even so, it worked, with no lives lost by the Western alliance. The Serbs swiftly agreed to a peace conference, held in Dayton, Ohio, that ended the war, although on terms that, it turned out, were unduly generous to the architects of the genocide.

To this day, many opponents of bombing insist they were right. The bombing worked in 1995, they say, because the Serbs were weaker, militarily, than they had been in previous years. This is true, but that only means the mild campaign in 1995 would have needed to be a bit stronger if it had taken place in earlier years. How much stronger? Impossible to say, of course, but the degradation of the Bosnian Serb Army was a slow-moving affair; the army that crumbled under NATO's bombs in 1995 wasn't that different from the army that existed in the first year or two of the war. Dragisa, the Serb with the big gun in the hills above Sarajevo, was not much of a warrior in 1992, nor was the commander in Rogatica.

Opponents of bombing also note that NATO's attack coincided with a summer offensive by Croatian and Bosnian troops that swept through northwestern Bosnia, threatening to overrun Banja Luka. Would the bombing have succeeded without that ground threat? The ground offensive certainly helped drive the Serbs to Dayton, but again, in its absence NATO had much more to throw at the Serbs from the air. In any event, once the Serbs became pinned down by NATO's warplanes, a ground offensive against them could have begun at any time during the war. From the first day, an aerial blitz by NATO would have tipped

the conflict in favor of the Bosnian side, forcing the Serbs to retreat, militarily and diplomatically. The crucial role of the U.S. bombing in Afghanistan is a perfect illustration of the extent to which our Air Force can turn the tide of a foreign conflict.

The United States did not need to use its ground troops to stop the genocide. But what if it had? Our GIs would not have objected. Many foreign soldiers in Bosnia were dismayed because they had to stand aside as genocide unfolded before them. For all but the final stage of the war, the feeble UN peacekeeping force had strict orders to use its weapons only in self-defense; its mission was restricted to helping deliver relief supplies.

In the first winter of the four-year siege of Sarajevo, a cosmopolitan city that had hosted the Winter Olympics in 1984, I met Richard Roth, a sergeant in the 82nd Airborne and a farm boy from Maquoketa, Iowa. The Clinton administration opted, in the early years of the Bosnian war, to limit to a handful the number of U.S. soldiers in the United Nations Protection Force, and as far as I could tell, Roth was the only uniformed GI in Bosnia's capital, where he worked as a communications specialist at the residence of the UN commander. I sensed, as we talked in a reception room at the commander's villa, that Roth's bosses at the Pentagon would not have been satisfied with what he was saying.

"Everybody but the Serbs hopes the Americans will get involved," Roth said as we sipped tea from porcelain cups, which rattled on their saucers when a shell landed nearby. "I think the Serbs are the bad guys, but that's not the UN's position. I know we shouldn't go sticking our noses everywhere, but this is too close to our NATO allies to sit back and do nothing." Because there were no other American soldiers based in Sarajevo at the time, Sergeant Roth got a lot of attention when he walked around the city in his uniform, with an American flag on his sleeve. Everyone wanted to know, why doesn't America do something? I think he knew the sad answer but he shrugged it off, telling me, in the caustic way that grunts in Vietnam handled queries about the morass they knew they were in, "I'm not paid to think." Our cups

rattled as another shell hit its target nearby.

Most men and women don't join the armed forces because the pay is good or the food delicious. They join for other reasons, including a dose of altruism. They believe that maybe they will have the opportunity to represent their country on a just mission that will save lives. They are not afraid to put their lives on the line. They are not Boy Scouts, although their timid leaders treated them as such in the Balkans.

WHY ARE America's leaders reluctant to intervene except in the most obvious, national-security-threatening situations, as in the Gulf War? The Vietnam precedent plays a paramount role, of course. So, too, does the story of American intervention in Lebanon, where, in 1983, 241 U.S. soldiers who had been sent to Beirut as peacekeepers were killed in a suicide-bomb attack. More recently, the killing in 1993 of eighteen U.S. soldiers in Somalia pretty much eliminated any appetite Bill Clinton might have had for using the world's strongest military for anything beyond oil-protection duty.

The lessons of Vietnam should not be forgotten, nor should those of Lebanon and Somalia. But one of the lessons politicians and generals drew from those debacles—that the American public has no tolerance for sacrificing GIs overseas—is wrong. Those missions were a political mess, and the deaths were close to pointless. Americans understood that. If a mission is honorable or if Americans believe it is honorable, they will support it. That was the case in the Gulf War, as it was when NATO finally bombed Serb targets in Bosnia in 1995, and four years later, when NATO bombed Serbia. And that was rousing the case when the Bush administration started its war on the Taliban.

The 1948 Convention on the Prevention of Genocide requires signatories to punish genocide when it occurs. This convention puts a special burden on the United States, the world's "indispensable nation," as Madeleine Albright liked to say in her secretary of state days. Of course not every genocide can be stopped with a modest dose of military intervention, and it would be unfair to demand that

the United States sacrifice as many lives as it takes to stop mass murder in country X or Y. There are limits to what the United States can do, and limits to what the United States should be expected to do.

What are those limits?

In the spring of 1994, as the genocide in Bosnia progressed like a plow digging into the earth, and as a new and worse genocide began in Rwanda, President Clinton's national security adviser, Anthony Lake, who had the most famous conscience in an administration famous for its famous consciences, explained that the U.S. government was not, unfortunately, in a position to stop the bloodbaths that were staining our television screens.

"When I wake up every morning and look at the headlines and the stories and the images on television of these conflicts, I want to work to end every conflict," he said. "I want to work to save every child out there. And I know the president does, and I know the American people do. But neither we nor the international community have the resources nor the mandate to do so. So we have to make distinctions. We have to ask the hard questions about where and when we can intervene. And the reality is that we cannot often solve other people's problems."

Lake's heart may have been in the right place, but his mind was not. The cowardice of other nations should not be an excuse for our own. As Lake was murderously slow in realizing, the U.S. government could have solved the problems in Bosnia and Rwanda at acceptable rather than extravagant costs, in political and military terms. Regarding Rwanda, just ask Romeo Dallaire.

In October 1993, Dallaire, a lieutenant general in the Canadian Army, was sent to Kigali, Rwanda, to command a lightly armed UN peacekeeping force of twenty-five hundred soldiers that was overseeing a fragile peace accord between the Hutu-dominated government and the rebel Tutsi army. General Dallaire sensed, early on, that Rwanda was slouching toward genocide. In fact, he had hard information from a senior official inside the Hutu Power movement that a mass extermination was being planned. The informant told Dallaire that lists of human targets were being drawn

up, death squads were being trained and deployed, and provocations to start the killing were imminent. On January 11, 1994, three months before the genocide began, Dallaire sent a coded cable to his superior at the United Nations, Kofi Annan, who at the time was head of peacekeeping, and now is secretary general.

The cable outlined the informant's story and requested permission, as a first step, to raid a Hutu arms cache. Dallaire also asked permission to provide protection to the informant. The response from Annan came quickly: The UN forces in Kigali were to do nothing more than oversee the disintegrating peace accord. Raiding arms caches and protecting informers was out of the question. "We wish to stress," Annan's cable concluded, "that the overriding consideration is the need to avoid entering into a course of action that might lead to the use of force and unanticipated repercussions."

It is understandable that Annan, or anyone, would hesitate to intervene *before* genocide occurs. Perhaps Dallaire was over-reacting, as commanders in the field might do. Perhaps the Hutus would pull back from the brink on their own accord, without the UN's firing a shot (which, who knows, could make matters worse, not better). It is difficult to sift the false alarms from the real ones. But the UN, like the Security Council members that decide its policies, has what seems to be a standing rule (or should we say a sitting rule?) to dither until blood begins to stain the carpets along the East River and at Foggy Bottom. Often the best and only chance to stop genocide is before the violence becomes widespread; we must be ready to act early and quickly, especially, as was the case in Rwanda, when the required acts are modest.

BUT ANNAN and the Security Council did worse than that. Once ten Belgian peacekeepers were massacred by Hutu extremists on the first day of the genocide, April 7, the Security Council decided to withdraw its force from the country, even though Dallaire urged the opposite course, insisting that with more troops, and a mandate to use them in combat, the violence could be stopped. The U.S. government played a key role in keeping

the UN out of Rwanda's genocide. Dallaire has said, on many occasions, that he would have needed just three battalions to "break the embryo of genocide." In 1998, the Carnegie Commission assembled a blue-ribbon military panel to examine his claim. The panel consisted of more than a dozen senior military officials, including a half dozen U.S. generals.

"The hypothetical force described by General Dallaire—at least five thousand strong—could have made a significant difference in Rwanda," the report concluded. "A window of opportunity for employment of such a force extended roughly from about April 7 to April 21, 1994, when the political leaders of the violence were still susceptible to international influence. The rapid introduction of robust combat forces, authorized to seize at one time critical points throughout the country, would have changed the political calculations of the participants. The opportunity existed to prevent the killing—and to put the negotiations back on track."

It would be wrong, however, to condemn the U.S. government for failing to stop the genocide in Rwanda or the one in Bosnia. The situation was more shameful than that. The government failed *to attempt* to stop the genocides. It's only a slight exaggeration to say that President Clinton wished the killings would finish as quickly as possible, on any terms. For hardly the first time, the quick solution was preferred to the just solution, even though the just solution could be reached at an acceptable cost.

THE BLIND spot at the Pentagon was exceptionally broad. In his occasionally candid memoir, *Waging Modern War*, published in 2001, General Wesley Clark, who commanded NATO forces during the bombing of Serbia in 1999, recalled that once he got involved in Bosnian issues in the summer of 1994, "I became increasingly concerned

about our staff's lack of experience with the situation on the ground. No one had been there personally." The Pentagon brass received CIA reports and diplomatic cables, Clark wrote, and perused CNN and the *Washington Post*, but had not bothered to send anyone of importance to Bosnia to figure out, from a military perspective, what was happening there and what could be done.

In this way, the lesson of the genocides of the 1990s are not much different from the lesson of Vietnam: our political and military leaders can be so out of touch with on-the-ground reality—even if, as was the case in Vietnam, they have plenty of people on the ground—that they are 100 percent wrong in their analysis of what can be done. The delusions are visceral. In Vietnam, the White House wanted to defeat a communist insurrection and persuaded itself that this was possible to do, even though, in reality, it wasn't. In Bosnia, the White House and Pentagon feared that stopping genocide might become a quagmire involving massive intervention, and persuaded itself that this was the case.

It is not surprising that General Powell, long before he became Secretary of State Powell, threw around inflated force estimates in the early 1990s. He understood less about Bosnia, and what was needed to stop genocide there, than Sergeant Roth from Maquoketa, Iowa. Powell made the mistake of treating a genocidal policy as an unbeatable monster. ●

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As Old as War Itself: Rape in Foca

Joanne Barkan

A GLASS WALL covered by blinds separated the courtroom participants from the spectators in the public gallery, but a hush enveloped both sides when the witness known as FWS-50 began to speak. Although a voice modulator screened her identity from the public, other microphones in the room occasionally picked up the undisguised sounds of her anguish. Indicating one of the defendants, she said,

I only know that he was very forceful, that he wanted to hurt me as much as possible. But he could never hurt me as much as my soul always hurt me.

When the prosecutor asked why she had decided to testify after remaining silent for almost eight years, she said,

[to] let it be known that it really happened. It's not easier for me to speak about it today, but nevertheless, I wanted everyone to hear about it.

She wanted everyone to hear about this: in the summer of 1992, at age sixteen, she was taken prisoner by soldiers near her village in Bosnia, held for two months, and raped so often that she lost count of how many times and how many men; she was raped vaginally, anally, and orally; she was gang raped by ten men at a time; she was raped by soldiers and paramilitary thugs; she was threatened with guns and knives while being raped; she was trapped in an apartment where she had to clean for the soldiers who raped her all night.

FWS-50 was one of thousands—some say twenty thousand—Muslim women sexually enslaved and tortured by Bosnian Serbs, Serbs, and Montenegrins during the Bosnian War of 1992-1995.¹ She was one of sixteen women

from the town of Foca (pronounced Fo'-cha) and its surrounding villages in southeastern Bosnia who agreed to testify in 2000 before the International Criminal Tribunal for the former Yugoslavia, located in The Hague. FWS-50 faced the men she was accusing—all three Bosnian Serbs, all three soldiers in the war, all three, like herself, born in Foca.

IN PRE-OTTOMAN times, Foca was one of the trading towns along the Drina River, located about thirty-two miles southeast of Sarajevo and about thirty miles southwest of its more famous neighbor, Visegrad, the setting for Nobel Laureate Ivo Andric's *The Bridge over the Drina*. The Ottomans gave Foca its claim to fame in 1551 when they built the Aladza Mosque (Colored Mosque), which many considered the most beautiful mosque in the former Yugoslavia and one of the architectural jewels of Europe. Surrounded by trees, with its tall dome, triple-arched portico, and slender minaret rising more than a hundred feet to a point, the mosque was as much a town landmark in 1992 as it was in 1551. In 1992, the municipality of Foca included the nearby villages as well as the town. It was a mid-sized community—population 40,513—not very different from dozens of others in Bosnia. The ethnic breakdown was 51.6 percent Muslim, 45.3 percent Serbian, and 3.1 percent "other."

On April 8, 1992, Serb forces supported by artillery and heavy weapons attacked Foca. By April 17, they had taken the town, although fighting in the surrounding villages continued into the summer. The occupying forces included army units, paramilitaries, and military police; the men were Bosnian Serbs, Serbs, and a smaller number of Montenegrins. Their mission was to rid the Foca district of its Muslim citizens so the territory could be annexed, along with other parts of Bosnia, to create a Greater Serbia. The Serb forces began the job imme-

diately. As soon as they took over a village or a neighborhood in town, they rounded up any Muslims who had not already fled and separated them into two groups: men and older boys in one group; women, children, and the very elderly in a second group. The Serbs slaughtered some men on the spot and transferred the rest to prisons and camps where starvation, filthy conditions, and torture killed many more.

Everyone in the second group went to the rape camps. The Serbs had a fairly regular procedure. They usually transported a new batch of these prisoners to a temporary detention center where some of the women—most often the younger ones—were raped for the first time, frequently by more than one soldier. After a day or two, the prisoners were trucked to one of the main rape camps. These included Foca High School and Partizan Sports Hall (“Partizan” for short), which was a gymnasium near the central police station. Those who went first to the high school stayed anywhere from several days to several weeks. From there, most were transferred to Partizan, where roughly seventy-five people (two-thirds of them women and teenage girls) were trapped at any one time. Escape from either camp was nearly impossible; resistance to rape utterly impossible. Armed guards never hesitated to beat their prisoners into submission; they beat two to death.

The label “rape camp” describes the high school and Partizan quite well. Like prison camp inmates, the detainees had little to eat, they slept on the floor, they had no hygienic facilities or medicine, and they had only the clothes on their backs. The elderly and the small children suffered some beatings, but otherwise the Serb soldiers left them alone; they were irrelevant. The camps had a specific function: they served as convenient collection sites where Serb forces could find their designated target—Muslim women—and carry out a campaign of systematic mass rape. The strategy was to terrorize, humiliate, and stigmatize the women so completely—and through them, the men and children—that all Muslims would leave the territory and never return.

The Serbs also aimed to impregnate as many women as possible, certainly for the added trauma this would produce, but also to

expend the procreative capacity of Muslim women on Serb-sired babies. The Serbs regularly taunted their victims while they were being raped: “Now you’ll have Serb babies.” Forty of the women and teenagers in Partizan became pregnant. Nearly every unmarried woman taken to the camps was a virgin, so the sexual torture had an added dimension of shock and pain for them. But all the women who survived the ordeal knew they might be ostracized by their families and their Muslim community.

From mid-April through mid-August, the camps were operated so that soldiers simply walked into the high school or Partizan, shouted out names or pointed to the females they wanted (“You. You. You.”), and raped them on the premises wherever, however, and as often as they liked. Commanders and sub-commanders, including the three tried in The Hague, set up “rape brothels” in private apartments and houses for their own use and for their men between military missions. They shuttled the women and girls back and forth between the high school or Partizan and the rape brothels. How long a woman stayed in a rape brothel depended on the whim of whoever was in command that day. Sometimes the soldiers kept the women for several hours or a few days. Sometimes they enslaved the women for weeks, even months. Gang rape was rampant. The youngest, the teenagers, suffered this calamity most often.

CALAMITY is just a word. Reality was, for example, the night a twenty-five-year-old woman—witness FWS-75—was taken from Partizan to one of the houses where she was gang raped by fifteen men for more than three hours. “When they brought her back to the door,” FWS-51 testified, “she fell on the floor. She started to scream and cry. Her nose started bleeding and it was very hard for the bleeding to stop.” This was neither the first nor the last time that FWS-75 was gang raped.

The overall health of the rape slaves deteriorated rapidly. They developed bladder and menstrual disorders, chronic vaginal infections, exhaustion. Some became suicidal, others slipped into depression and became indifferent to their fate.

By midsummer Serb forces controlled the

Foca district. On August 13, they loaded most of the Partizan inmates onto buses for Montenegro. From there, the deportees eventually escaped to refugee camps. Back in Foca, individual soldiers continued to hold some of the young Muslim women and teenagers as personal sex slaves. Over the course of the next year, some managed to flee, some were sold for Deutsche marks to soldiers passing through town. The youngest—a twelve year old—disappeared, never to be heard from again.

WARTIME RAPE is as old as war itself. It has always served at least two purposes: to intimidate the enemy and to reward the troops as booty. But military commanders rarely drew attention to its usefulness. Instead, the ubiquity of wartime rape allowed them to portray it as inevitable; it was simply one of the ghastly things that happened during war because war was ghastly. Conventional wisdom classified wartime rape as an unfortunate byproduct of war, not as an instrument of war. It was the original collateral damage.

But no one could plausibly dismiss the Bosnian war rapes as collateral damage. The international media began reporting on the rape camps almost immediately, and the reports depicted a systematic policy, rape as a primary tactic in a war strategy. Roy Gutman, *Newsday's* Europe correspondent, was interviewing refugees and filing stories by summer 1992. He wrote a grisly piece on Foca in April 1993. The images from Bosnia broadcast on television, with their unnerving resemblance to Nazi concentration camps, shocked Americans. But despite public outcry in the United States and abroad, the European governments and two U.S. presidents (George Bush I, then Bill Clinton) refused to intervene to stop the atrocities. Human rights groups and organizations devoted specifically to human rights for women kept up the pressure. But instead of intervention, Clinton consented, reluctantly, to an international tribunal under the auspices of the United Nations to prosecute crimes already committed.

From the start, most observers considered the International Criminal Tribunal for Yugoslavia (ICTY) a sop to human rights and feminist activists who wanted intervention. The tri-

bunal also served to soothe public opinion. But it had little funding, no means to arrest suspects, and no credibility. Almost no one expected it to succeed. And yet to some extent, at least for women, it did.

When the United Nations voted the ICTY into existence on May 25, 1993, the only precedents for the new court were the international war crimes tribunals at Nuremberg and in the Far East after the Second World War. As for prosecuting mass rape, there was precious little to build on. The body of international law of war, which sovereign states had been assembling since the 1860s, largely neglected rape. The record for enforcing whatever law did exist and prosecuting sexual assaults was "a wholesale failure" in the words of Diane Orentlicher of the War Crimes Research Office at American University's law school. Clearly, international law needed amending if it was going to include women in its system of justice. The ICTY would have to set new precedents; it would have to pry open key judicial categories—genocide, crimes against humanity, war crimes, violations of the laws or customs of war, grave breaches of the Geneva Conventions²—and insert the words "rape, sexual assault, and sexual enslavement."

There had been an opportunity to expand justice for women in 1945-1946 when the Allies prosecuted high-ranking Nazi officials in Nuremberg. The opportunity was lost. The Allies drafted a statute that laid out the rules for trial procedure and defined the crimes to be tried. The statute they wrote—called the London Charter of the International Military Tribunal—did not contain the word rape although rape was rampant during the war in Europe. Rape and sexual crimes could have been prosecuted as "ill treatment" under war crimes and as "inhumane acts" under crimes against humanity, but they weren't. In one of the subsequent trials held in Nuremberg, the United States (as one of the occupying powers) prosecuted lower-ranking Nazis under the Allied Control Council Law No. 10, which did include rape in its definition of crimes against humanity. Yet the tribunal did not prosecute anyone for rape.

The record improved slightly under the To-

kyo tribunal (1946-1948), where the Allies prosecuted high-ranking Japanese officials for crimes committed in the Far East. The indictment listed rape as a crime. The prosecutors used the mass rape atrocities in Nanking in 1937, along with other crimes, to convict the Japanese leaders. But the indictment never mentioned the sexual enslavement of some two hundred thousand women—the “comfort women”—in the countries occupied and colonized by the Japanese Imperial Army. This was a glaring omission given that a Dutch military court in Batavia (Indonesia) in 1948 prosecuted and convicted twelve Japanese army officers of sexually enslaving thirty-five Dutch women.

AFTER THE Batavia trial, no court prosecuted rape as a war crime or crime against humanity under international law for almost fifty years. During that time, wartime rape changed along with war. Ethnic conflicts, which were increasingly in the news, targeted civilian populations; this kind of war lent itself to sexual violence. Mass rape carried out methodically and publicly could terrorize an entire community. Military forces in Rwanda, Sierra Leone, the Democratic Republic of the Congo, Cambodia, and East Timor, as well as the Balkans used it as an instrument of terror for ethnic cleansing and genocide. In an interview, Kelly Askin of American University's War Crimes Research Office contrasted this use of rape with aspects of rape during the Second World War.

Because Nazi law forbade sex with a Jew, more attempts were made to cover up the crime or at least not draw attention to it. Thus the pervasiveness was not as well recognized....In Asia, the situation of the former “comfort women”...was part of the war machine in that the soldiers did not have to go out looking for sex....But the sexual slavery was not used to terrorize the enemy, but for protecting the soldiers from venereal diseases, etc.

Against this background, the new International Criminal Tribunal for Yugoslavia looked like an exceptional chance in 1993 for advocates of human rights for women to make some progress. But every step forward, as it turned out, required a lobbying campaign. Nongovern-

mental organizations and university-based institutes wrote briefs and letters, requested meetings, did press work, and held seminars and conferences. They wanted the following: rape and sexual slavery specified as crimes in the ICTY statute, more women as judges and prosecutors, a senior official in the prosecutor's office experienced in prosecuting sexual offenses, nondiscriminatory wording in ICTY documents, women on evidence-gathering teams in the field, funding for a victims unit to protect women and all traumatized witnesses during trials, and, of course, aggressive prosecution of sexual offenses.

The advocates' work had to be thorough, and there was a lot of it. Take, for example, the wording of the first document prepared by the office of chief prosecutor Richard Goldstone. This was a motion in a case involving several camps where mass rapes of women had taken place. According to Felice Gaer, director of the American Jewish Committee's Blaustein Institute for Human Rights, the motion made cursory reference to the rapes, and “then the phrase ‘what was worse’ was used to describe a single atrocity—one man being forced to bite off the testicles of another. The rapes were mentioned in passing, like road accidents.” The Blaustein Institute, the Women's International Human Rights Clinic, and the Harvard University Human Rights Program made their critique in an *amicus* memorandum, and the prosecutor's office reworded the motion. Overall, many prosecutors and judges were responsive, some even courageous. The human rights advocates got some, but definitely not all, of what they wanted. The ICTY statute, for example, lists rape under crimes against humanity but not under other headings; sexual slavery appears nowhere in the statute.

History—in so far as it will deal with human rights for women—will likely judge one strategic decision made by the ICTY as invaluable: the decision to put together “the rape case.” Even in the early stages of the tribunal's work, the lobbying to get prosecutors to pay attention to sexual offenses paid off. Before long, more than 20 percent of the charges filed at the ICTY involved allegations of sexual assault—an extraordinarily high percentage in light of the past record. But in any individual

case, the rape of women was only one crime among many being prosecuted. If rape were overshadowed in most trials by other crimes, the possibility of breaking new legal ground for women's rights decreased. But, hypothetically, a case devoted to just one type of crime, just one category of victim, and just one place might have significant impact on the law and on public opinion. In late 1994, the ICTY office of the prosecutor, supported by women's rights advocates, began the investigation for a rape case. The prosecutors would investigate only sexual crimes and only those committed against women. The place they chose to investigate was Foca.

ON JUNE 26, 1996, the ICTY indicted eight men from Foca on sixty-two counts of crimes against humanity, grave breaches of the Geneva Conventions of 1949, and violations of the laws or customs of war. All eight were born in the municipality. When they joined in the ethnic cleansing of the district in 1992, their ages ranged from twenty-three to thirty-seven. Before the war, they did various jobs—café owner, car mechanic, waiter, electrician. Some had wives and children. When the fighting began, five of them became paramilitary leaders in Foca as well as sub-commanders in the Bosnian Serb military police, two joined a special reconnaissance unit of the Bosnian Serb army, and one was appointed chief of police in Foca. The charges against them included rape, torture, outrages upon personal dignity, persecution on political, racial and/or religious grounds, willfully causing great suffering, enslavement, and inhuman treatment—all directed against the Muslim women of their hometown.

After indicting the men, the ICTY had to apprehend them. This was a stumbling block in almost every case because the tribunal had no police force of its own. If the accused did not turn themselves in, the ICTY had to rely on Bosnian Serb authorities or NATO peace-keeping troops. The leaders of the new Republika Srpska (the country created by Bosnian Serbs from the territory they took over and "ethnically cleansed") stonewalled or, in a ploy that amounted to the same thing, they claimed that local authorities had jurisdiction.

This was senseless: local authorities would not arrest the accused because often they were the accused.

The NATO troops were mostly inert. They made few arrests although the Dayton peace accord (which officially ended the fighting in the former Yugoslavia) mandated them to detain any indicted war criminal they encountered. And they did encounter the indicted criminals—on the streets, in the restaurants and bars, in police headquarters. The *London Times* reported a remarkable scene in a Foca café in July 1996. Several French soldiers from NATO were leaning against a wall, smoking when Gojko Jankovic, indicted in the rape case, strolled in. The soldiers paid no attention to him, and when asked why they were not making an arrest, they said, "We are an army, not the police." When Jankovic was asked about the indictment, he denied ever having committed rape, adding, "I am such a man that I can have any woman I want, and my wife is good looking."

Between the original indictment and the start of the trial (almost four years), NATO troops arrested two of the eight accused. A third turned himself in because he expected, incorrectly, that the charges would be dropped. A fourth, Foca's police chief, was killed when NATO troops tried to arrest him. (He was charged with overseeing the rape camps and raping a young prisoner the day after she asked him to help stop the atrocities.) The fifth—recognizable by the tattoo on his forehead that read, "I was dead even before I was born"—blew himself up with a hand grenade during his arrest. The other three accused men remained at large.

The prosecutors prepared for the trial with only three defendants in custody (the ICTY does not try anyone in absentia). Like every other ICTY case, the Foca case depended almost entirely on witness testimony. Unlike the prosecutors in Nuremberg who made use of the voluminous records kept by the Nazis, the ICTY prosecutors had almost no documentation.

Rape charges are especially difficult to prosecute because few survivors agree to testify. From the beginning of the Foca investigation, the prosecutor's office had to find the right

balance between encouraging women to testify and not pressuring anyone to do so. The trial would be an ordeal: it would go on for months, the witnesses had to face the accused during their testimony, some of women had never before spoken about what happened in Foca. The tribunal could screen their identities from the public, their names would never appear in court documents, but they still risked being re-traumatized. Those women whose families had survived the war knew they could be ostracized for speaking about rape in public. Many rape survivors had lost their families and all property; they were destitute, homeless, and too frightened to testify. In other ICTY cases, women who planned to testify occasionally withdrew at the last moment because anxiety overwhelmed them. Foca was no different. Of the scores of women and girls brutalized there, sixteen were able to testify.

The rape trial—the first of its kind in history—began on March 20, 2000. The accused were Dragoljub Kunarac, commander of a special reconnaissance unit of the Bosnian Serb army; Radomir Kovac, a sub-commander of the military police and paramilitary leader; and Zoran Vukovic, also a sub-commander of the military police and paramilitary leader. The prosecution called thirty-three witnesses during the trial. The sixteen survivors described the assaults they had suffered, when and where these took place, who else was present, and the crimes they saw carried out against other women and girls. Because the soldiers, including the accused, usually took more than one prisoner at a time for raping, the survivors were often able to corroborate each other's testimony. Other witnesses provided background or expert testimony; some were relatives of the survivors or Foca residents who managed to flee the region.

The defense lawyers called twenty-nine witnesses and used various arguments to refute the charges. Sometimes they relied on witnesses to establish alibis for the whereabouts of the accused. One witness, a physician, testified that an accident in the summer of 1992 had left Zoran Vukovic impotent for three weeks and incapable of rape during that period. The defense rejected the charge of enslavement because the accused had not been in permanent possession of the women. Regarding dozens of

other rapes, the defense did not deny that rape had taken place but argued that the prosecution had not proved rape because some of the women, according to the defense, liked the soldiers. Chief defense counsel Slavisa Prodanovic also asserted that the prosecution "did not prove that the alleged victims of rape were exposed to any severe physical or psychological suffering." He added, "The rape in itself is not an act that inflicts severe bodily pain."

The lawyers took eight months to present their cases. Closing arguments ended on November 22, 2000. The court reconvened on February 22, 2001 to hear presiding Judge Florence Mumba of Zambia read out the verdicts and sentences.

Dragoljub Kunarac (who, among other offenses, offered to let a soldier rape FWS-186 in the presence of FWS-191 for 100 Deutsche marks) was found guilty of rape, torture, and enslavement as crimes against humanity and rape and torture as violations of the laws or customs of war. The tribunal sentenced him to twenty-eight years in prison.

Radomir Kovac (who, among other offenses, raped FWS-75 and FWS-87 as he played a recording of *Swan Lake*) was found guilty of rape and enslavement as crimes against humanity and rape and outrages upon personal dignity as violations of the laws or customs of war. The tribunal sentenced him to twenty years in prison.

Zoran Vukovic (who, among other offenses, raped sixteen-year-old FWS-50 and then told her that he could do much more but he had a daughter the same age) was found guilty of rape and torture as crimes against humanity and rape and torture as violations of the laws or customs of war. The tribunal sentenced him to twelve years in prison.

The Foca trial will surely have an impact on international human rights law. For the first time in history, an international war crimes trial focused exclusively on crimes of sexual assault. For the first time in history, an international court found that crimes of sexual assault, under certain conditions, amount to enslavement as a crime against humanity. For the first time in an ICTY trial, rape was successfully prosecuted as a crime against humanity (the International Criminal Tribunal for Rwanda made

this breakthrough for the first time in history in 1998). In addition, the document read by Judge Mumba (which was a summary of the three-hundred-page judgment) established, on the basis of the evidence, that rape was used as an instrument of terror to drive Muslims out of the Foca district.

EVEN CRITICS of the ICTY and resolute skeptics of all international tribunals appreciate what the Foca trial accomplished. Human rights activists celebrated the progress, but they had hoped for one additional precedent. The ICTY statute lists both rape and enslavement as crimes against humanity, but neither word fully captures what happened to the women and girls in Foca. According to Kelly Askin, the judgment could have and should have used the term sexual slavery. "The judgment," she maintained, "treated the rapes as merely one of a number of things that indicated that enslavement occurred, instead of clarifying that the sole reason for the enslavement was to effectuate continuous rape. All the other acts—the selling, the physical mistreatment, the manual labor—were not the reason behind the enslavement."

The other disappointment—a bitter one for the survivors—was the sentencing. Jurists consider the ICTY's sentencing practices lenient in general, but the Foca sentences seemed excessively so. "They reflect an appropriate sentence for a single act of rape as a war crime," Askin said. "But these [men] were serial rapists, people who raped untold numbers of victims over and over again and were also responsible for countless others raping the detainees."

After the war ended, after the women and girls who survived Foca left the refugee camps, many made their way to Sarajevo, now the capital of what is left of Bosnia-Herzegovina. That is where they heard the news about the verdict and sentencing. Nezira Zolota, spokesperson for a Sarajevo-based association of female camp survivors, talked to some of the Foca women when the report came in. The leniency of the sentences left them "seriously shaken," she said. The "minimum punishment...actually minimized the suffering of the victims."

Everyone who followed the trial agrees that much harsher sentences would have been appropriate and perhaps given the rape camp survivors a small measure of relief. But the women and girls of Foca and the human rights advocates knew from the start that the rape trial, the ICTY, and all international war crimes tribunals represent a failure more than anything else, a human failure to intervene and stop whatever produces crimes against humanity.

And what of the town of Foca? Officially it no longer exists. The Republika Srpska gave it a new Serb name—Srbinje. But visitors to the town report that all the locals still call the place Foca. Only now it is their Foca—rid of practically every Muslim and every indication that a Muslim ever lived and worshipped there. Serb forces demolished all of Foca's fourteen mosques during the summer of 1992. The last to go was the precious Aladza Mosque. The Serbs blew it up on August 2 and threw the rubble into the river. A bus terminal now occupies the site. ●

JOANNE BARKAN is a New York-based writer.

1. During the wars in the former Yugoslavia, Croat and Serb women, too, were brutally raped, but the great majority who suffered this crime were Muslim women.

2. Fixed definitions of these categories do not exist, the categories overlap, and not every judicial proceeding uses all the categories. But generally they mean the following: genocide refers to crimes intended to destroy a group; crimes against humanity are inhumane acts committed on a widespread, systematic basis against civilians during peacetime or war; war crimes are serious violations of laws governing armed conflict committed by armed forces against civilians

and prisoners of war on the other side of the conflict (one case of rape can be a war crime); violations of the laws or customs of war are a subcategory of war crimes, often including crimes such as the use of poisonous gas or wanton destruction of property; grave breaches of the Geneva Conventions are violations of the war crimes listed in the Conventions. The statute of each international court lists the categories of crimes that will be prosecuted by that court. The ICTY statute includes genocide, crimes against humanity (but limited to the wartime), violations of the laws or customs of war, and grave breaches of the Geneva Conventions of 1949.



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Bearing Witness

Bernardine Niyirora

IT WAS AROUND the 15th of April 1994 that we started to spend the night in sorghum fields and in the woods. People were being pursued during the day, killed or tortured. When I saw this, I put my little brother on my back, for Mama was pregnant. The killers found me in the forest and beat me on the feet. The girls with me were raped. It was useless to hide. We knew we had to die.

So we returned to the place where we lived and found that our houses had been burned. We took refuge in sorghum fields again and spent the night there. In the middle of the night we climbed Mount Kanyarira to try to reach Kabgayi. But it was impossible, for we ran into a roadblock.

At daybreak we made it back to our old houses near Saruheshyi. It was around the 25th. We were visited by a cripple who said, "Go give yourselves up, for sooner or later you'll have to." He led us on the road to Evode's house. Our clothes were taken. We were told to pray, for it was our last day. After our prayer, they began to beat the old, for, they said, the old ones knew the whole history of the Inkotanyi. They took our grandfather, named Straton Ruhoryongo, and his sons, three in number, and beat them to death with nail-studded clubs. They attacked everyone, even the little boys. I was paralyzed where I sat. They took my little brother. I begged them, "This one isn't a boy." They left him alone and took away everyone they had chosen and went to kill them behind the house. They told us, "The women and girls can clear out."

So we took the Bukomero road and neared a group of school buildings, believing we could find lodging there. Instead, we found frightening young thieves who took away a girl among us. We continued on our journey and came to the asphalt road. There we received the order to go back.

So we turned in the direction of the commune to put ourselves in the hands of the authorities. We were led to the Women's Training Center, where we found many gravely wounded people. There we spent the night. The next day I noticed that policemen were carrying something that looked like a corpse. It was my little brother, seriously injured in the head but not yet dead. He was laid out in the vestibule. Unable to lift him, I dragged him along the ground. I saw that he was in agony and poured some water over his body and more in his mouth. A few moments later, I saw that Mama was dripping blood and water down her legs, which were very swollen. Her head was swelling up too, for she had received a blow from a club.

On the 29th of April buses came to take us on board. We were driven to the school of St. Joseph. By chance I found someone to help me carry my little baby brother. Arriving at the school, we realized that death was better than staying here. We spent the night under the sky, in the rain. The next day everyone was looking for someone to give him a piece of potato to eat. Food was prepared, but to get any you had to be strong for the fight. I approached a nun and showed her my trembling mother and my suffering little brother. She looked at them and took pity and brought them a cup of tea, even a bit of corn. She looked for a place to shelter them and left them in the henhouse. Mama, feeling that she was about to deliver, went to the maternity ward and gave birth. Then she came back to us. But she couldn't sit down, for she was unable to stretch out in any direction. Dysentery and hunger were exterminating us. We were dying like flies. In our compound, the henhouse was bombed but by a miracle no one was touched.

We continued this sad life until . . . the 2nd of June, around ten in the morning, when we heard bursts of gunfire. Then we saw the army of the RPF advancing among us. They opened the door, and those who could followed them. We left in the direction of Byimana.

Reprinted by permission from *Le Génocide au centre du Rwanda: Quelques témoignages des rescapés de Kabgayi* (Genocide in the Center of Rwanda: Testimonies of Survivors of Kabgayi), ed. Abbé Hildebrand Karangwa, published in Kigali by Kinyamateka, October 2001.

Ed. Note: The Inkotanyi, or "brave ones," refers to the Rwandan Patriotic Front (RPF).

Road to a Genocide

Bill Berkeley

ETHNIC BIGOTRY in Rwanda was born of history, amplified by an elaborate system of myths built up around that history, and broadly accepted by Hutu and Tutsi alike. It has often been remarked that Hutus and Tutsis—the latter make up just under 15 percent of Rwanda's population—meet none of the conditions normally associated with tribes. For centuries they have spoken the same language, lived on the same hillsides, and intermarried to such an extent that the physical characteristics stereotypically attributed to each—tall, thin, and lighter skinned for the Tutsi; short, stocky, and darker skinned for the Hutu—are often blurred. Specialists on the region commonly protest that the distinctions between the two groups are artificial. But sixty years of colonial rule followed by thirty-five years of Hutu domination (1959-1994) produced real distinctions: deep-seated stereotypes and even deeper reservoirs of envy, fear, and mistrust that were ripe for exploitation. The fact that leaders manipulated ethnic divisions for their own cynical ends does not change the fact that the divisions were there to be manipulated, in the hearts and minds of those below. Yes, Rwanda was a land of followers, but they were followers prepared to hate and fear.

Rwanda was a textbook example of the destructive legacies of "indirect rule." Before colonialism, it was a highly organized feudal kingdom. Tutsi chiefs were overlords, but ethnic distinctions were fluid and social mobility commonplace. First the Germans and then the Belgians introduced a system of rule from a distance, whereby the Tutsi chiefs controlled the Hutu majority and extracted its labor on behalf of the colonial power. Across the conti-

nent, indirect rule in the colonial era was a means by which minority groups and traditional chiefs were invested with power and privilege, educated, trained, and subcontracted to do the dirty work on behalf of the white man. Resentments grew accordingly, nowhere more so than in Rwanda and neighboring Burundi.

In Rwanda, the malignant consequences of indirect rule were magnified by an explicit racial ideology known as the "Hamitic Hypothesis." European racial theorists concocted the "scientific" notion that "white Africans" from the northeast had brought civilization to the rest of the primitive continent. The Tutsis of Rwanda were held up as just such a superior race: intellectually gifted, morally uplifted, born to rule. The Hutus, by contrast, were dumb beasts of burden, ill-suited to be anything more than soil-tilling subjects. Educational privileges for the Tutsis reinforced these stereotypes. A system of population registration—including ethnically based identity cards—cemented them.

Tutsis, not surprisingly, embraced these myths as justification for their privileged position. Generations of European and Rwandan Tutsi intellectuals elaborated on a pseudo-anthropology of Tutsi superiority and Hutu incompetence. Elitism evolved into racism, and a myth of historic Tutsi domination—and cunning—came to be broadly accepted by Hutus and Tutsis alike. Sixty years of humiliating subjugation gave rise among the Hutus to what the French scholar Gerard Prunier, author of an outstanding history of the genocide, *The Rwanda Crisis*, has called "an aggressively resentful inferiority complex," upon which their leaders were keen to build.

In the Hutu-led "social revolution" of 1959-1962, which drove out the Belgians and their Tutsi surrogates, upward of ten thousand Tutsis were murdered, and as many as three hundred thousand were driven into exile in neighbor-

ing countries. Thousands more were murdered and exiled in subsequent waves of repression. For the next three decades, Hutu politicians, no more democratic than their Tutsi predecessors, justified their rule by building on and reinforcing Hutu fears of Tutsi perfidy.

The slide toward genocide began in October 1990, after the Rwandan Patriotic Front (RPF), a rebel insurgency led by Tutsi exiles, invaded Rwanda from Uganda. Their aim was to pressure the Hutu government of President Juvénal Habyarimana to allow Rwanda's exiled Tutsis to return. Three years of fighting ended in stalemate, and President Habyarimana was forced to enter into a power-sharing agreement with the Tutsi rebels. But extremists within Habyarimana's embattled regime had already begun formulating a plan to subvert the agreement and destroy the rebels by exterminating their base of support—the internal Tutsi population.

A key component of the plan was a virulent propaganda campaign—crafted by prominent Hutu intellectuals such as Ferdinand Nahimana (now in custody at the UN International Criminal Tribunal for Rwanda in Arusha, Tanzania)—that tapped into and inflamed old Hutu fears and resentments. The plan worked. On April 6, 1994, Habyarimana's plane was shot down—most likely by his own hard-line “allies.” Habyarimana's assassination was immediately blamed on the Tutsis. This was the pretext for the massacres to begin.

NO ONE REALLY knows what proportion of Rwanda's Hutus participated in the genocide. By some accounts as many people killed as were killed. The broad participation of tens of thousands of ordinary Hutus undoubtedly was a function of Rwanda's by-now notorious culture of obedience. I encountered a chilling illustration of this phenomenon in 1998, four years after the genocide, when I visited one of the provincial prisons. At that time some 130,000 accused *génocidaires* were held in such places across the country. In the eastern province of Kibungo, the main prison is a squat brick edifice built to house 1,000 detainees. On the day of my visit there were 3,196 inmates, virtually all of them genocide suspects, including 112 women and 132 mi-

nors. There were also 25 infants, growing up in confinement with their imprisoned mothers.

Conditions were typical of prisons across Rwanda, which is to say, unspeakable. An overpowering stench of weeks-old sweat, filth, and urine hit me as I pushed my way into the prison's densely packed dormitories. As my eyes adjusted to the dark, I became aware of hundreds of eyes peering out of the blackness from within inches of my face. There were no lights or toilet facilities. Prisoners used chamber pots to relieve themselves. The sleeping quarters were pitch dark except for the light from slim window slats. Ventilation was nil. There were no beds or mattresses. The prisoners slept shoulder to shoulder on flattened cardboard boxes arrayed on shelves akin to a chicken coop. Their clothes and other belongings hung like stalactites from the ceiling. The prison yard was packed to overflowing, covered with a coat of soot from smoke billowing out of the cooking tent at one end of the courtyard, where inmates stirred massive vats of beans and rice. Streams of fresh sewage dribbled around me. Lice, malaria, ringworm, typhoid, and dysentery were rampant.

In 1995, as many as nine prisoners per day were dying in Rwanda's prisons. Conditions were said to have improved by the time I arrived, but disease, dehydration, and suffocation remained common. It was hard not to think that—guilty or not—these people were enduring a fate worse than death.

My guide through Kibungo prison was the elected leader of the prisoners, a thirty-eight-year-old former businessman named Joas Kaburame, himself accused of genocide. He told me he was framed by a former lover who was jealous of his marriage to another woman. It could be true, I thought. Who knows? No trial was imminent, Kaburame said. The Rwandan government was estimating that at the current rate it would take four hundred years to try all those accused of participation or complicity in the genocide. I asked Kaburame what seemed to me an obvious question: was there ever any violence in this awful place?

“There are no fights,” he replied matter-of-factly, without a trace of irony. “It's forbidden

to fight. They must obey the rules.”

Here was the culture of obedience at the heart of Rwanda’s darkness: three thousand accused mass murderers packed in horrendous conditions like snakes in a bottle—and no violence. They were forbidden to fight, and so they didn’t. Perhaps this goes some way toward explaining the velocity of a mass slaughter that was orchestrated from on high but implemented by tens of thousands of ordinary civilians at the grass roots. Rwanda is a nation of followers, people who “must obey the rules,” and do.

Anarchy and Tyranny

In July 1994 the Rwandan Patriotic Front finally routed the Hutu regime and ended the genocide that in a hundred days had taken some eight hundred thousand lives; two million Hutus fled the country, including many of the *génocidaires* and their leaders. In a familiar pattern, the latter re-armed, using UN refugee camps as a base, and they have been fighting ever since to return to power and finish what they started. The result is the present intractable situation. A minority-led regime is compelled by circumstances beyond its control to govern indefinitely as a military dictatorship, in which even the best intentioned leaders are trapped by a kind of Macbethian logic, compelled to shed blood merely to survive. Many advocates for justice in Rwanda, including supporters of the International Tribunal, believe that justice will lead to “healing” and “reconciliation” between Hutus and Tutsis. That is an unrealistic goal. There are too many other factors in play, like the ongoing civil war, that are hardening mistrust. The history is accumulating, and so is the bigotry.

Bigotry alone does not explain mass slaughter. Racial stereotypes, envy, resentment, scapegoating, fear—all helped to make genocide possible, not inevitable. In combination, they serve to explain why people followed, but they are not explanation enough. The bigotry was there to be manipulated and exploited by cynical and desperate leaders. The real question is, what sort of environment spawns such leaders in the first place and then rewards their tactics?

Rwanda is a textbook case of ethnic con-

flict produced by tyranny, a prime example of the links between tyranny and anarchy and between ethnicity and organized crime. There is a widespread belief in the post-cold war era that ethnic conflict is a byproduct of “failed states.” Rwanda represented the opposite: a state that was all too successful in mobilizing its people along rigidly hierarchical lines from the top down, from the head of state and his ruling clique of co-conspirators down to the last village mayor. And it was this success that in 1994 made possible the slaughter of hundreds of thousands in barely three months, mostly with clubs and machetes.

Rwanda was a model of order. The country was divided into 12 prefectures led by *préfets*, 154 communes led by *bourgmestres*, 1,600 sectors led by *conseillers*, and tens of thousands of *cellules*—a top-down network of control rooted in the precolonial kingdom, codified by the colonizers, and preserved after independence. Once Hutus vanquished the Tutsi elite in the early 1960s, their leaders took over the pre-existing social structure and used it to exercise total control over the populace. This rigid hierarchy was not to be confused with the rule of law. The rule of the gun was paramount; enforcement was consistently arbitrary.

The psychologist Ervin Staub, in his valuable book *The Roots of Evil—The Origins of Genocide and Other Group Violence*, examined mass slaughters in this century, from the Turkish genocide of the Armenians to the Nazi Holocaust and Pol Pot’s Cambodia. Staub found “certain characteristics of a culture and the structure of a society”—such as obedience and hierarchy—that enhance the potential for group violence. Rwanda is another case where culture and social structure worked together. But the social structure was more complex than is generally understood. We need to look more closely at Rwanda’s slide into genocidal conflict.

In the years leading up to the genocide, Tutsis had been massacred across Rwanda with increasing frequency—and impunity. Four hundred were slaughtered in Kibilira in 1990, five hundred in Bigogwe in 1991, three hundred in Bugesera in 1992. No one was ever held accountable. The rest of the



world paid no heed.

Many suppose that tyranny and anarchy are at opposite ends of a linear spectrum. But often they are side by side on what might better be described as a circle: the one is a product of the other, and vice versa. Anarchy is a vacuum that brings out the worst in socialized and acculturated men and women and selects the worst among them. The pursuit of power is a life-and-death struggle. Those who excel in this struggle distinguish themselves through nothing more exotic than boundless cunning and ruthlessness. The most successful of all become tyrants, and the anarchy in which they thrive is called tyranny.

Even the most rigidly institutionalized tyrannies—Rwanda was one, South Africa during apartheid another—rely above all on the radical absence of lawful accountability for the criminal abuse of power. These tyrannies harness the forces of anarchy to their own ends; the tyrants turn lawlessness and terror, murder and rape, arson and theft into instruments of rule. For them, anarchy is a way of governing.

Inflamed ethnic passions are not the cause of this Hobbesian war of all against all, but its consequence. In a lawless world, ethnicity is a badge of legitimacy and protection, even of justice. It is the bond by which people high and low adhere to a vigilante code. They may appear to be acting on mindless impulse; in fact,

they are making rational calculations of their own self-interest or, more accurately, of their own survival. The depth of their pre-existing prejudices may explain the potency of the symbols that their leaders choose to exploit, but it is the logic of their lawless environment that transforms those prejudices into terror.

ETHNIC CONFLICT in postcolonial Africa is also a form of organized crime. The “culture” driving Africa’s conflicts is akin to that of the Sicilian Mafia or of the Crips and Bloods in Los Angeles, with the same imperatives of blood and family that bind all such gangs together. Africa’s warring factions are best understood not as tribes but as racketeering enterprises, their leaders calculating strategy after the time-honored logic of Don Vito Corleone.

It is the stakes in Africa that are different—multiplied exponentially in circumstances where the state itself is a gang and the law doesn’t exist. It is as if men like Corleone seized control not just of “turf” on the margins of society, but of the state itself and all its organs: police and army, secret police, the courts, the central bank, the civil service, the press, television, and radio.

It is by now well established that Rwanda’s catastrophe was “more than a simple tribal meltdown,” as *Time* magazine put it. All too often, however, the calculated quality of Rwanda’s genocide is cited to distinguish it from other, presumably more spontaneous African slaughters. In fact there is no such thing as a “simple tribal meltdown,” not anywhere. There were elements in Rwanda that distinguished it from other African calamities, but calculation was not among them. All of Africa’s present-day conflicts are orchestrated from on high. They are all products of calculated evil.

Rwanda’s Hutu elite, which excelled in this lawless culture, established a clear example of the state as a racketeering enterprise. Juvenal Habyarimana had governed Rwanda for twenty-three years after the model of his mentor, Mobutu Sese Seko of Zaire. Amply funded and armed by the French, who funneled huge quantities of weapons to Rwanda even during the killings of 1994, Habyarimana ran lucrative rackets in everything from development aid

to marijuana smuggling. He and his in-laws operated the country's sole black-market foreign exchange bureau in tandem with the central bank. Habyarimana was also implicated in the poaching of mountain gorillas, selling the valuable skulls and feet of baby primates. Habyarimana's brother-in-law was the principal suspect in the murder of the American anthropologist Dian Fossey.

This was the criminal culture in which the genocide was hatched. Like gangsters and despots through the ages, Habyarimana apparently was destroyed by the monster he created, and then the monster went on to ever greater destruction.

Fear Above All

The genocide of 1994 had its predecessors. Rwanda's border with Burundi is not much further from downtown Kigali than Coney Island is by subway from mid-town Manhattan. In 1965, between five thousand and ten thousand Burundian Hutus were killed by a Tutsi-dominated army. That slaughter turned out to be a premonitory sign of the awesome carnage of 1972, when upward of a hundred thousand Burundian Hutus—some say two hundred thousand—were killed. In 1988, Burundi's army killed twenty thousand Hutus, and another three thousand in 1991. As many as fifty thousand Burundians—Hutus and Tutsis—were butchered after a failed Tutsi-led coup in 1993, and another hundred and fifty thousand have died in Burundi's continuing bloodshed since then. Some eight hundred thousand Tutsis and dissident Hutus were killed in the Rwandan genocide of 1994.

Tutsis killing Hutus, Hutus killing Tutsis—the common denominator in all this slaughter is the total absence of legal accountability for a single perpetrator at any stage over more than three decades. In the absence of individual accountability for a single general, tyrant, militia leader, or gangster, and with no commonly agreed-upon set of historical facts, Tutsis and Hutus alike have blamed the other for the killing that has taken such a toll of both. Each has been prepared to believe the worst about the other's intentions in times of chaos, making Tutsis and Hutus alike vulnerable to the machinations of the propagandists and eager

to seek the protection that those wearing the badge of ethnicity claimed to afford.

FEAR, NOT HATRED, was the dominant theme of the Hutu propagandists in Rwanda, who relentlessly terrorized their listeners on two state-owned radio stations both before and throughout the genocide of 1994. These radio broadcasts fabricated tales of harrowing massacres attributed to Tutsi guerrillas and civilians. They warned Hutus that Tutsi-led rebels were bent on re-imposing feudalism, wiping out all the Hutus, and taking all their land. All too many Hutus, looking across that nearby border at what happened in Burundi, believed what they were told, and then did what they were told they had to do in order to survive.

In June 1994, I interviewed six admitted members of the Interahamwe militia who had been captured days earlier by the Tutsi-led rebels. We sat on benches in the filthy remains of an abandoned corner store in Kabuga, a rubble-strewn, rebel-held town on the outskirts of Kigali. Genocide was still unfolding in the South. The climactic siege of Kigali was underway. Hundreds of dazed survivors of the massacres, some of them wrapped in gauze bandages that barely concealed their ghastly machete wounds, lingered amid the wreckage of their lives in the looted and gutted ruins nearby.

These militiamen were illiterate peasants—husbands and fathers—with thickly callused hands. Most of them had spent their entire lives cultivating sorghum and sweet potatoes on the steep mountain slopes of Kibungo Prefecture in eastern Rwanda. Defeated, scared, disheveled, wearing grimy secondhand clothes and sneakers or rubber flip-flops, they spoke in dull monotones under the watchful eyes of their Tutsi captors. They appeared to be men of the herd; each one said he had never killed before this. Evidently calculating that it was pointless, and might be fatal, to deny their crimes, they spoke with surprising candor about joining up with the "Igitero"—a group of attackers, leaders and led as one.

"Many people contributed to killing one person," one of them told me. "Because they feared the blood of the victim ["a guilty con-

science,” my translator explained], each person was afraid to kill alone. We would kill in groups. Even that old man hiding in the sorghum plantation—when we discovered him, Leonard, the militia leader, ordered everybody to hit him. Even after he was dead, everybody was supposed to take part in the killing. I used a club.”

Another said, “If someone was discovered, we would surround him with sticks and start beating him. Then the rest would come with sticks and machetes and finish him off.”

I asked this man if he felt any remorse. “I felt guilty and I felt I was committing a crime,” he replied. “I had never killed before, so I did not feel comfortable to kill, because I knew these people had committed no crime. But I had to save myself. I had only to do as I was told.”

This was the line: they killed because they were forced to. Many were killed for refusing to kill, they said. But further questions yielded a more complicated picture. Fear, not hatred, may have driven them to kill, but it was fear not just of their leaders. It was also fear of those whom they sought to exterminate.

Emmanuel Kamuhanda, eighteen years old, wore a mangy, purple corduroy jacket, blue jeans, and plastic high-top sneakers. Sullen and withdrawn, he spoke very quietly, and did not look me in the eye. “I did not want to kill,” he told me. “I was just compelled to kill by the leader of the militia.” When I asked how many people he had killed, Emmanuel replied, “There were many. Perhaps those who had the lists know better. I can tell you in my village we killed fifteen people. After my village we went to other villages and killed many. To say there were hundreds would be an understatement. The top leaders of the militia, when they marched us to kill, they had a list of the victims. We were shown whom to kill on the list. If you resisted, they would threaten you. They said you must kill or you will be killed.”

Yet when I asked Emmanuel *why* he was forced to kill, his reply suggested that he understood the reasons for killing, and that they made sense to him: he believed in what he was doing when he was doing it.

“The government always told us that the RPF was Tutsi, and if it wins the war all the

Hutus will be killed,” he said. “As of now I don’t believe this is true. But at the time, because it was the government saying so, using the radio, and because I had not known the RPF before, I believed that the government was telling the truth.”

His confederate added, “They were always telling people that if the RPF comes, it will return Rwanda to feudalism, that they would bring oppression.”

A third put it this way: “I did not believe the Tutsis were coming to kill us and take our land, but when the government radio continued to broadcast that the RPF is coming to take our land, is coming to kill the Hutu—when this was repeated over and over, I began to feel some kind of fear.”

Responsibility

No one disputes that Rwanda’s Hutu leadership must bear ultimate responsibility for the genocide. But what of the RPF? What measure of responsibility do Rwanda’s rebels bear for provoking what, in the context of Central Africa, was surely a foreseeable mass slaughter?

General Paul Kagame, leader of the Tutsi-dominated rebel army that invaded Rwanda in 1990 and now the president of Rwanda, is keen to draw parallels between the ‘Tutsis’ experience of genocide and that of the Jews. He and his fellow Tutsi generals point to Israel’s conduct in the Middle East as a model for their own behavior. Indeed there are legitimate parallels, and they help explain why policy makers in Washington in the years since the genocide have flinched at the thought of passing judgment on those who claim to be acting on behalf of Rwanda’s Tutsis.

But the parallels between Central Europe and Central Africa are not exact, and they may obscure more than they illuminate. To begin with, the Jews of Europe were never armed. Nazi propaganda notwithstanding, there was no Jewish conspiracy to dominate Europe, nor was there ever. There had been no Jewish tyranny in Germany, as there were Tutsi feudal tyrannies in both Rwanda and neighboring

Opposite: Instruments of genocide: machetes left at the border of Zaire and Rwanda by retreating Hutu militia in 1994. Photograph by Antonin Kratochvil/VII



Burundi. And there had been no Jewish-perpetrated genocides in, say, Austria, as there were Tutsi-perpetrated genocides against Hutus no fewer than three times in a generation in Burundi.

These differences by no means absolve Hutus who participated in the genocide, but they underscore the recklessness of Tutsi refugees like General Kagame who, in 1990, thought the solution to their exile was an ethnically based armed insurgency against an entrenched and brutal, Hutu-dominated regime in Kigali. No rational person could have looked at the history of repeated mass slaughters in Rwanda and Burundi since 1959 and doubted for a moment that at least one likely outcome of such an invasion would be massive violence against defenseless Tutsi civilians.

KAGAME WAS not himself a defenseless victim. To suggest that he would be to adopt the same logic that informed the genocide, namely that a Tutsi is a Tutsi, whether armed or unarmed. Kagame and his RPF confederates were armed. The victims of the genocide were unarmed. Kagame can argue that armed rebellion was his only alternative under the circumstances; he surely did not intend his rebellion to provoke a genocide. He points out that Westerners, not least Americans, have often resorted to violence to achieve their ends. Fair enough. But Kagame, no less than the West, must bear a measure of responsibility for the unintended consequences of legitimate ends pursued through violent means.

Gerard Prunier tells the story of the RPF occupation of a town in Western Rwanda during the early stages of the war. An old Tutsi man remarked to one of the young guerrilla fighters who had come to "liberate" him: "You want power? You will get it. But here we will all die. Is it worth it to you?" Prunier goes on to say, "[I]t is improbable that in late 1990 when Paul Kagame was working day and night to turn the RPF from an alienated band of exiles into an efficient fighting machine, he ever stopped to ask himself what was really going to happen. And in a way it is quite normal. Action carries with it its own logic, and in such situations men who stop to think for too long

are likely to end up dead."

In January 2000, I had an opportunity to pose the question about responsibility to Yoweri Museveni, the president of Uganda, who was Kagame's main ally in 1990 and after. Not least, in 1990 Museveni had backed the Rwandan Patriotic Front's armed invasion of Rwanda from Uganda, led by men who were among Museveni's closest military confederates.

I met Museveni in his suite at the Waldorf Astoria, where he was staying during a visit for what turned out to be fruitless meetings of the UN Security Council to try to end the war in Congo. I asked Museveni about the law of unintended consequences. He had waged an armed rebellion against Idi Amin, and then another against the successor regime of Milton Obote. Now he was backing an armed rebellion against Islamist tyranny in Sudan. He had backed Laurent Kabila's rebellion against Mobutu's tyranny in what was then Zaire. Now he was backing rebels fighting against Kabila's tyranny, in a war that, as of this writing, had claimed as many as two and a half million civilian lives. Had it not occurred to Museveni and his friends, I asked, that armed rebellions provoke massive reprisals against defenseless civilians? What was he thinking in 1990? Surely he was mindful that a Tutsi-led armed rebellion in Rwanda was likely to result in the mass murder of Tutsi civilians. That had been the pattern in both Rwanda and Burundi, not to mention Uganda itself.

"We did not conspire with the RPF in 1990," Museveni demurred. "But after they went, we did not want them to come back. We said stay there [in Rwanda]."

Did Museveni accept no responsibility for the bloodshed that followed? I asked. For that matter, did he accept no responsibility for the bloodshed unleashed in response to his own war against Obote? Does one who engages in violent rebellion—even justified armed rebellion against tyranny—bear no responsibility for the unintended consequences of his rebellion? When those consequences are foreseeable, as surely they were in Rwanda and Congo, as well as in Sudan, aren't the rebels responsible for protecting those who bear the brunt of the tyrant's repression?

Museveni was plainly contemptuous of this line of questioning.

"There is a thief who grabs a briefcase in the street," he said, eyes alight, staring me down. "When I try to restrain him, he starts shooting passersby. And then the journalist from New York says, 'Why did you try to restrain him? You are the one who provoked him.' Don't you think that's a bit..?" He shook his head incredulously. "The authors of the genocide are to blame. We cannot have this blackmail."

Blackmail?

"Amin said on the radio, 'Museveni will be killed. His family will be killed.'" The president was recalling his first armed rebellion in Uganda, against Idi Amin. "That was blackmail—if you resist dictatorship, your family will be killed. The threats to my family should not doom resistance to dictatorship. I do my duty. If you want to kill innocent people, that's your own responsibility."

Museveni concluded with vehemence, "But I will not accept blackmail. Every dictator says, 'If you attack me, I will kill you.' Before 1986, a hundred thousand children were dying of six preventable diseases in Uganda. So people in

a bad system are dying every day. That is the basis for deciding to resist a dictatorship. You are mistaken. The people who are killed in reaction to resistance are not as many as by dictatorship itself. There is a responsibility of regional actors to attack dictatorship."

Museveni had a point of course. Even the best intentioned of Africa's leaders—and Paul Kagame is one of them—must choose between painful alternatives. Meek submission to tyranny would be unacceptable and nonviolent resistance almost certainly ineffectual. The latter could only be credible and effective—in the eyes of the tyrant as well as in those of his subjects—if there were many more regional actors prepared to support it, and if those actors were backed by the resources and prestige of outside powers.

That support and backing, however, were entirely missing in the Rwandan case, where both the UN and the Clinton administration declined to intervene even after the massacres began. And the next time? ●

BILL BERKELEY, a reporter for the *New York Times*, is the author of *The Graves Are Not Yet Full—Race, Tribe, and Power in the Heart of Africa*.

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Echoes of Violence

Darryl Li

S EVEN YEARS after the fact, the most enduring—and perhaps haunting—image of the Rwandan genocide is that of the nameless Hutu peasant standing over a pit of putrid corpses, a machete in one hand and a radio in the other. The manner of his gaze is unclear, but there is no mistaking the tinny voice blaring from the tiny receiver as anything other than the infamous Radio-Télévision Libre des Mille Collines (RTLM), the station whose broadcasts were a background score to the killings.

The semi-private “hate radio” station, linked to an elite circle of Hutu hard-liners, was allegedly the brainchild of Ferdinand Nahimana, a Sorbonne-trained historian currently on trial before a UN-run court in Tanzania for incitement to genocide. During its brief existence as the first licensed private broadcaster in the country, RTLM quickly surpassed the stilted, government-run Radio Rwanda in popularity with a combination of virulence, humor, and style. “They talked off the cuff about a subject they mastered: hatred,” a former press liaison with the rebel Rwandan Patriotic Front (RPF) told me.

For the notorious state-sponsored Interahamwe militia who were the shock troops of the genocide, RTLM’s broadcasts were orders, its denunciations death warrants. In one well-known incident, an RTLM reporter covering an attempt by UN peacekeepers to rescue a group of refugees from the Hôtel Mille Collines in Kigali relayed the names of all sixty-two evacuees on the air, including several prominent opponents of the regime. Soon

thereafter, a group of Interahamwe stopped the UN convoy and singled out several of those named on the radio for abuse; only intense diplomatic pressure saved them from being massacred. Tutsi civilians sheltered in a mosque in Kigali’s Nyamirambo neighborhood in the first weeks of the genocide were not so lucky; after a cue from RTLM, militia and soldiers butchered some six hundred people inside, while the station gleefully reported the results.

In the summer of 2000, six years after it was knocked off the air in the wake of the collapse of the genocidal regime, reminders of RTLM could be found everywhere. The Kigali hostel in which I slept was owned by a nearby church, whose priest, Wenceslas Munyeshyaka, allegedly carried a radio tuned to RTLM during the genocide while singling out Tutsi members of his flock for elimination (Munyeshyaka later fled to France). Walking through the crowded streets, I often passed stalls where one could still buy cassettes featuring the extremist songs of Simon Bikindi (arrested by Dutch authorities this summer and sent to the UN tribunal), a staple of the RTLM diet. And in the city’s central prison, I found many alleged *génocidaires*, most of them ordinary farmers, such as Frodouald Ndoliyobijya, who recalled RTLM’s antics with a mischievous giggle one minute and in the next humbly told of how he murdered a Tutsi whom his father had tried to save.

RTLM’s lingering omnipresence had to do with the fact that the Interahamwe were only a small part of a nationwide audience that tuned in for news, entertainment, and the latest instructions. The station spread hateful propaganda about the country’s Tutsi minority, guided people to where the “enemy” hid, and goaded ordinary people into joining the killings—the most famous of its entreaties being the uncharacteristically blatant “The graves are only half full! Who will help us to fill them?”

Opposite: Mass grave used for victims of massacre in Kbuye, Rwanda. Photograph by Antonin Kratochvil/VII

For many reasons besides radio, hundreds of thousands of people heeded these calls by manning roadblocks, joining search patrols, looting, and steadily killing in their own locales.

"It's a lie if a farmer says he didn't like RTLM," said Bernard Rutaremara, who awaits trial in Kigali's central prison for participating in the killings. Although three months of conversations with detainees, survivors, and others made it clear that Rwandans actively debated and critiqued what they heard on competing radio stations—including Radio Rwanda and the RPF-controlled Radio Muhabura—RTLM somehow captured the national imagination. Through radio, the genocide unfolded in thousands of locales, turning ordinary Rwandans into witnesses to the killings and bringing them into the massacres in ways at once both terrifying and mundane. As Mwamini Nyrandegeya, a woman of mixed ethnicity who survived the genocide as a servant to the militiaman who raped her, put it, "*RTLM animait dans l'ambiance du moment.*" One also could say that the station's *animateurs** helped to shape that ambience as well.

Making Sense of it All

The first time I saw Valérie Bemeriki, the infamous RTLM *animatrice*, was through the window of a reception area in Kigali's central prison. Short, limping, and slightly rotund, her pink prisoner's uniform reminiscent of an ill-fitting ballerina's tutu, Bemeriki hardly resembled the voice of genocide. I stood up when she entered the room. We shook hands and made small talk before I introduced myself.

Bemeriki acquired a reputation during the genocide for her impassioned, almost frenzied, announcing style. During our interviews, she dismissed RTLM transcripts as forgeries and swept aside uncomfortable questions, instead launching into long, rambling monologues about how massacres of unarmed Tutsi civilians were in fact battles between government troops and rebels. Furthermore, she said, she and her colleagues were not demagogues, but responsible journalists who always checked their facts and reported the truth, and if that resulted in their being falsely accused of genocide, so be it.

*No word in English or Kinyarwanda adequately describes the performative role of RTLM's on-air workers.

Despite the outrageousness of some of her claims, Bemeriki had a point. To the outsider's eye, RTLM's transcripts reveal few explicit instructions to murder. In the ideological universe of RTLM, one never spoke of killing, but only of "work" or "clearing the brush" (courtesy of "tools," rather than machetes or clubs, of course). The word "Tutsi" itself was used far less often than *inyenzi* (cockroaches) or *inkotanyi* (the self-given nickname of RPF fighters). This indirectness, which left nothing unsaid, is apparent even in the title of the Simon Bikindi hit "You Know What I'm Saying."

FOR THESE euphemisms to take on such meanings—to make roadblock duty, search patrols, and killing acceptable activities for people to take part in—RTLM appropriated three ideas that had shaped modern Rwanda's understanding of itself: History, Democracy, and Development. The narrative of History provided a *raison d'être* for the postcolonial regime through comparisons with the merciless exploitation of Hutu farmers by Tutsi collaborators during the era of Belgian rule. Democracy, meaning little more than the crude arithmetic of ethnic majoritarianism, scapegoated Tutsi to mask the dominance of a narrow clique of northern Hutu under a shared bond of ethnicity. And the elusive goal of Development, promising a vague future of prosperity, justified *umuganda*, a weekly ritual of communal labor forced on nearly every peasant in the country. For decades before the genocide, these ideas were the foundation of an authoritarian, single-party state that micromanaged the population and in which Tutsi were marginalized but almost never attacked.

The genocide turned these concepts upside down, weaving a coherent ideological tapestry that made euphemisms such as "work" into powerful metaphors for making sense of one's actions, no matter how terrible the implications of those actions may have been. RTLM invoked History, Democracy, and Development to mobilize people rather than to render them docile, using these familiar ideas to mask unthinkable ends.

RTLM regularly compared the genocide to the 1959 revolution that overthrew Tutsi he-

gemony, collapsing past into present to raise the terrifying specter of a return to the ancien régime. In what was an almost constant refrain, Kantano Habimana, RTLTM's star *animateur*, warned listeners: "Masses, be vigilant. . . . What you fought for in '59 is being taken away." He implied that the gains of the revolution, the postcolonial state, and progress itself were hanging in the balance.

When speaking of democracy to justify the killings, the station urged Hutu to put aside differences and close ranks against the common Tutsi threat. RTLTM made a fetish of the language of majorities and minorities, styling itself as the voice of the *rubanda nyamwinshi* ("numerous people"). The station argued that the numerical superiority of the Hutu meant both that their cause was just and their victory inevitable. By extension, only the Tutsi could be blamed for their fate—"Will those people truly continue to commit suicide against the majority?" Habimana once asked with rhetorical incredulity.

IN ITS ANNOUNCEMENTS, advice, and encouragements, RTLTM cast participation in the genocide in the mold of *umuganda*, likening extermination to controlling soil erosion or preventing forest fires, efforts in which everyone had to pitch in. "Hello, good day, have you started to work yet?" RTLTM asked its listeners every morning. Indeed, many of the tasks of the genocide eerily resembled *umuganda*, with farmers turning up for their shifts under the same supervisors with the same tools (mostly machetes and hoes), as if it were just another day of clearing fields or planting trees.

Yet the code of the genocide, like all totalitarian languages, sometimes could not be sustained. One Rwandan told interviewers that RTLTM "called for all the Tutsi to be exterminated. Bemeriki would say, for example, 'Kill! Kill! Go to Nyamirambo! I have just been there, and there aren't any bodies in the streets yet. It's still tidy. You have to start cleaning!'" On the other hand, as news spread that France was sending troops to Rwanda to bring humanitarian aid and cover the withdrawal of the collapsing genocidal regime, Bemeriki told Hutu to welcome the troops warmly. After months of mixing anti-Tutsi invective with superficial

assurances that not all Tutsi were bad, it was only sensible for her to make it absolutely clear that these white men were different from the hated Belgians. "If you are told to do something, you are not told to do the opposite," Bemeriki insisted. "If we are saying that we should welcome the French, that does not mean that we should throw stones at them."

The Genocide, Live

A few months before the genocide, Claver Kizungu, a Tutsi farmer living east of Kigali, happened upon a spectacle in the local market. The editor-in-chief of RTLTM, Gaspard Gahigi, had arrived with a mobile studio and was broadcasting live in front of a crowd of several hundred locals. "He said that the Tutsi were bad and that they killed many people when they were in power, and that you had to know they are the enemy and get them," Kizungu recalled. During the monologue, a neighbor—Vedaste Nteziryayo—looked over in Kizungu's direction and menaced him with a slashing motion across the throat. The same Vedaste Nteziryayo went on to kill many people during the genocide, although another of his Tutsi neighbors insisted that he was a good man who had saved lives as well.

Whether in person or on the air, RTLTM's *animateurs* helped listeners experience the genocide as a series of small performances upon which the edifice of larger ideologies could be built. They adroitly navigated and manipulated the hierarchies and bonds within audiences, turning the very act of listening into a form of participation in the genocide.

Sometimes, RTLTM played with its listeners as much as it played to them, using mistrust and fear to build unity. During one interview at a roadblock, a man boasted of having helped to kill five *inyenzi*. Habimana encouraged him to "keep it up" and then advised listeners, "When testing if people like a radio station, you must ask the following question: who are the *animateurs* of the radio whom you know? Who are the RTLTM *animateurs* you know? . . . If you do not know them that means that you do not like this radio." The pressure to listen—and to be seen listening—to the station was immense. "Some people were against RTLTM, but didn't have the strength to say so

in public," recalled Jamad Nkundintware, a Hutu mason. Venant Musirikare, an elderly Tutsi, was so terrified by the hardening attitudes of his neighbors that he bought a recording of Bikindi's songs to convince them of his loyalty. His fears were not unfounded; another time, Habimana announced that all Tutsi who were not against the regime should man the roadblocks alongside Hutu, only to tell people the next day, "Look around, the enemy is among you."

Although few of the station's listeners had access to a telephone, RTLM found ways of actively involving audiences. *Animateurs* relayed personal messages from listeners, while soldiers and militia spontaneously brought suspected RPF collaborators to the station's studios to be interrogated on the air. Similarly, RTLM's announcements provided practical advice that went into planning day-to-day activities. One Hutu farmer I spoke to recalled several of his neighbors proclaiming, "Kantano [Habimana] said there are no RPF troops here, so we can continue our work."

IN A SENSE, ordinary Rwandans, too, performed RTLM's broadcasts. Almost every personal message, public service announcement, and piece of gossip transmitted found its way by word of mouth beyond those who actually heard them, making each radio a potential spawning ground for new performances. According to one of his former neighbors, a murderer of some notoriety named Hakiri used to spend mornings sitting on the corrugated metal roof of his shop outside Kigali with a radio to his ear, listening to RTLM. His mood darkened during the broadcasts, and he would climb down and gather people to tell them what he had heard of the latest Tutsi atrocities. Across the country, thousands of listeners were relaying, embellishing, and even misrepresenting RTLM's broadcasts. In *We Wish To Inform You That Tomorrow We Will Be Killed With Our Families*, Philip Gourevitch writes of a prominent Hutu extremist who, taking pity on some Tutsi children at a roadblock, admonishes the militiaman harassing them, "Don't you listen to the radio? The French said if we don't stop killing children they'll stop arming and helping us."

In seeking to turn listeners toward a common goal, RTLM treated them as thinking subjects rather than obedient drones. But it was for this very reason that, like all totalitarian systems, it could be nothing but imperfect. For just as thousands of Rwandans like Vedaste Nteziryayo chose to kill some Tutsi and to save others, they could also invoke RTLM for their own ends—even, at times, to resist the genocide.

Household Names

More so than Radio Rwanda or the RPF's Radio Muhabura, RTLM's *animateurs* developed personas in which listeners invested authority and trust. Kantano Habimana captivated audiences with his electrifying announcing style, narrating the results of massacres as if they were victories on the football pitch (he is rumored to have died in a refugee camp in Congo after the genocide). The raucous, hard-drinking Noël (Noheli) Hitimana was much beloved from his years at Radio Rwanda. RTLM even had its token white man, a Belgian named Georges Ruggiu. Though he was far from the most popular of RTLM's *animateurs*, his uniqueness made him memorable, if only as an object of curiosity.

Ruggiu's case is also interesting because he is the only non-Rwandan to have been indicted by the UN tribunal (he pleaded guilty to incitement to genocide in June 2000) and was the only *animateur* without journalism or broadcasting experience. In fact, there appeared to be no reason to hire him other than the fact that he was white. Samson Karungura, who killed ten people during the genocide, remembered speculating that Ruggiu's being on RTLM meant either that he couldn't find a job in his own country or that the station had the strength of foreign support. "Moderates said if there is a white man working [for RTLM], they would be able to destroy any opposition," recalled Protégène Shyaka, a Tutsi shopkeeper.

Some of Ruggiu's monologues seemed to do little other than leverage his Europeaness for credibility. During one evening program broadcast several weeks before the genocide, Ruggiu read passages from Machiavelli's *The Prince* on the air, expounding on the necessity of disingenuousness in politics, while classi-

cal European music droned on in the background. "Here then is Nicholas [sic] Machiavelli, who speaks through my voice," Ruggiu announced, as if taking on the role of a spirit medium. Centuries of "civilization" hung in the air like overripe fruit, dangling just out of the reach of the Rwandans listening in rural hilltop homes.

Rwandans obviously resent whites as much as they respect them. So rather than making him into a latter-day Kurtz, Ruggiu's race was at best a gimmick. Furthermore, only a fraction of the population knew enough French to fully understand him. But just as radio broadcasts do not travel in the ether, listeners do not exist in a vacuum. According to several people I interviewed, educated French speakers, themselves often local organizers of the genocide, regularly translated and explained Ruggiu's broadcasts for others. The result was a sort of mutual reinforcement, enhancing the credibility of these elites while at the same time extending the reach and authority of Ruggiu's words.

Ironically, the only people who seemed cu-

riously unaware of the significance of Ruggiu's whiteness were those whose duty it was to exact justice upon him. The UN judges who sentenced Ruggiu to twelve years in prison cited his European background and consequent unfamiliarity with Rwanda as mitigating factors in determining his punishment, but never mentioned that his being European was key to his involvement with RTLM in the first place.

Noheli Sends His Best

We were crouched in the shadow of the mud-brick house, wary of the hot sun and of the listening children peeking through the cracks in the fence. James Nshogozabahizi, a Hutu farmer, described daily life during the genocide on the hill where he lived, east of Kigali. The "work" of manning roadblocks or searching houses began in the morning, when some locals would report to the authorities. It would continue until 5 p.m. or so, and then people would gather in the local bar to drink, chat, and listen to RTLM before retiring to bed and waking up the next morning. Several dozen kilometers away I met Tito Rutaremara, a Tutsi,

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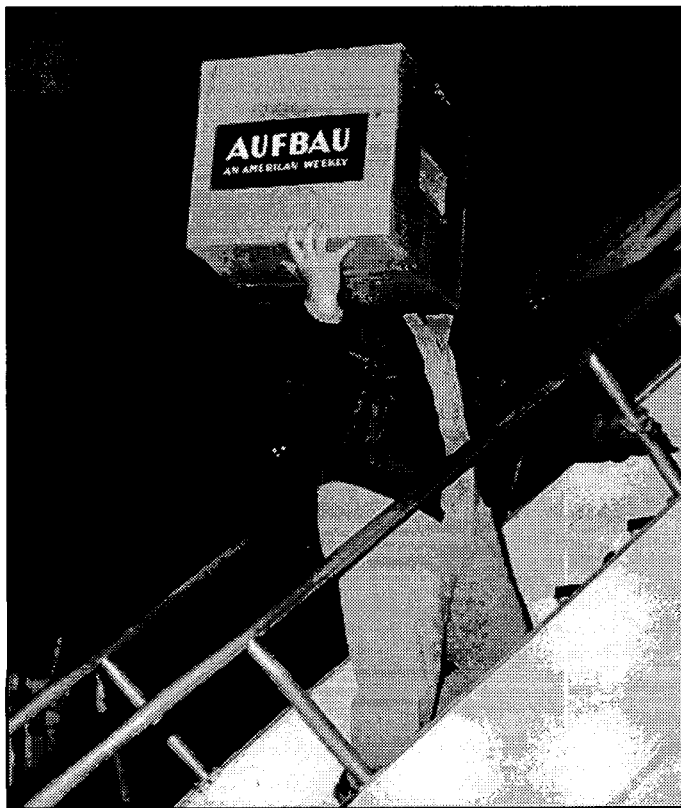
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who recalled that during breaks in the work day, locals would gather in groups as large as a hundred to listen to RTLM, closely following the information relayed to plan the next day's activities. I asked if this happened every day. "Of course," he replied. "It was work. It was to know what to do."

Much of the killing in Rwanda in 1994 was marked not by the fury of combat or paroxysms of mob violence, but by a well-ordered sanity that mirrored the rhythms of ordinary collective life. After all, what is striking about the genocide is not simply that the priest, the schoolteacher, and the radio *animateur* spoke with one voice of the necessity to "work," but rather that they did so during the weekly sermon, the daily lesson, and the hourly bulletin.

RADIO'S SUBTLE presence was a key entry point of the state into the lives of its citizens. For the people I spoke to who owned radios, listening was often the first thing they did in the morning and the last thing they did at night. For others, catching the latest news was often a major reason for visiting neighbors or swinging by the local bar. In a country with few newspapers or televisions, the medium's portability and many uses enable it to cross boundaries of public and private life and to punctuate daily schedules. Of RTLM's *animateurs*, none had a more intuitive grasp of this than Noheli Hitimana.

After a decade on the air at Radio Rwanda, Hitimana was a part of the lives of millions of Rwandans. During the early morning shift, widely listened to by farmers rising to tend their fields, he was known for calling out to the farthest mountains in the country, issuing greetings to various regions, and saluting individuals with whom he had shared a drink the night before. "He showed that Radio Rwanda was interested in its listeners," explained confessed *génocidaire* Elie Ndabamenye, adding that a greeting from Hitimana was something like a small honor, a moment of celebrity and recognition for hard work.

Hitimana carried on in a similar vein at RTLM. His monologues featured litanies of places where local residents were warned to remain vigilant or urged to hunt down *inyenzi*. Similarly, Hitimana converted his habit of saluting

individuals into a means of denouncing them. According to a report by the press freedom NGO Article 19, one of those threatened was opposition journalist Joseph Mudatsikira. "Let me say Hello, child of my mother," Hitimana said, adopting a tone of playful familiarity. "Let me salute you, as you are the same as Noheli [that is, also a journalist]. . . . If you die just as everyone else has been speaking about you, it is not like dying like a sheep, without having been spoken of. When we have spoken about you, you have effectively been spoken of." Mudatsikira was killed several days later. Hitimana's broadcasts on RTLM exploited a decade's worth of familiarity in order to insinuate the genocide into everyday life, to make its presence felt even in small homes in rural areas at dawn—including the many in which Tutsi were being hidden. For the Hutu who risked their lives to shelter others, however, the intimacy of Hitimana's broadcasts made them more than death threats. It made them betrayals, signals to listeners that underneath all that defined their world, even routines followed in the privacy of the home, lay the possibility of treachery, of being attacked by a Tutsi neighbor or accused of treason by a Hutu friend. Providing an example of what to emulate and a warning of what to avoid, Hitimana showed that it was better to denounce than to be denounced and that even personal ties could be subordinated to the imperatives of the genocide.

A Harmony of the Spheres

"You Americans cry a lot when someone dies," Jean d'Amour, my interpreter, told me with surprise one day as we waited for lunch. "I see it on television." When we first met, he mentioned that his parents had been killed in the genocide; we never spoke of it again. Months later, I looked for an account of the conversation in my journal, but found that it had not even merited a mention. Another time, an acquaintance of mine told me that after the genocide, he ran into the man who had killed his parents, a family friend named Emmanuel, and did not know what to do. Or rather, he wanted to do so many things at the same time that he did nothing. "If you need anything, any help, just let me know,"

Emmanuel told him sincerely. Richard nodded and went about his life.

AFTER SOME TIME in Rwanda, especially the weeks spent working at the Kigali prison, I became habituated to these stories. While handing me a packet of life-saving malaria pills, a doctor once said that he lost ten relatives in the killings; I acknowledged the statement with a nod as I left his office, thinking not of his loss but only of my burning fever. I would not object to being called insensitive (or anything worse), but, as Jean d'Amour asked rhetorically, "How can one cry so much for one person when so many have died?"

Rwandans are not an incredibly stoic people who have simply shrugged off death, nor have they achieved some elusive stage of "closure" and "moved on." Rather, the genocide lives on in the grief, pain, and anger that has saturated everything to the extent that one's loss seems to have been reduced to only a single piece of an imponderably vast suffering. It seems that Rwandans have been able to continue with life only by accepting the inescapability of death, while mutual suspicion and tension gnaw at the edges of nights and days.

The genocide's continued hold on everyday life seven years later is a reminder of the fact that it involved the direct efforts of hundreds of thousands of ordinary people on a day-to-day basis, shattering the ties of neighborliness,

friendship, and love. It is often said that in times of war or conflict, there is a point where people cease to be shocked or disgusted by the wanton taking of human life and thus find it easier to kill as well. Yet despite this, and despite the desperate poverty, immense state coercion, and other rationales that can be summoned, something about the genocide remains inexplicable; not its cruelty, which was unspeakable but not unprecedented, nor even its sheer enormity. The uniquely unimaginable thing about the genocide was that rather than the violence becoming normal, normality itself was somehow co-opted in the service of violence.

Like the killings, RTL, too, was omnipresent, routinized, and intimate. By articulating a language of massacre, bringing listeners together as witnesses and performers, and infiltrating everyday routines, it may even have been the key thing that helped transform the genocide from a state-led campaign into a nationwide project. Without it, there might have been, during the late evenings in bars after a shift at the roadblock, or in the midst of a night-time walk home past a banana grove, machete in hand, at least some stillness, a bit of silence, a moment to think alone. ●

DARRYL LI works for the Palestinian Centre for Human Rights, in the Gaza strip. This article was adapted from a longer study on the role of radio in the Rwandan genocide.

Still to come in the Spring **Dissent**

- **Cambodia Reconsidered**, by William Shawcross
- **Kosovo and Serbia after Milosevic**, by Kira Brunner
- **Understanding Rwanda**, by Philip Gourevitch
- **Aftermath in Rwanda**, by George Packer
- **Nightmares in East Timor**, by Richard Lloyd Parry
- **Genocide and International Law**, by Samantha Powers

Bearing Witness

Filomena Soares

ALL AROUND town houses were burning. We heard gunfire all the time. On the 5th of September [1999] the police came to us and said that if we wanted to stay alive, we had to come to the police station. We went. It was packed with people, hundreds were there. We just wanted to stay alive. We stayed there for three days. Then we left and went to a nearby town to stay with my husband's relatives. Soon, though, the militia came there too.

On the 13th of September, the militia came to the house and said my husband needed to go to the house of the Liurai [a village leader]. We thought he would be safe there. It was dark and I didn't want him to go by himself, so I went with him. When we arrived, there were so many people. My husband's brother was there too. They told me they only wanted men, not women. They said I had to leave. I said I wouldn't go, that I wouldn't leave him. One man threatened to stab me. I had to go, but I was so afraid for him.

I waited all night, awake. Each hour I kept telling myself he'd come home. He must be on his way now. At four in the morning, I was shaking, I could not stand waiting anymore. I went back to the house, back to where the militia were, where I had last seen my husband. I asked them where he was. They said they couldn't tell me. They said, "Now it's war." I kept asking, and they told me that if I didn't leave, I'd be killed too. I knew he was dead. I knew they had killed him. I came back again in the morning and they confessed. They said all of the men were dead. They were proud.

On September 20 [the date Indonesia agreed to let a UN peace-keeping force enter East Timor], we were forced to go to West Timor. They told us if we didn't leave we'd be killed. I stayed in the camp there till the end of October. When I came back the people investigating the killings told me what had happened that night. After they killed my husband, they put his body in a rice sack. They did the same with all the men. Then they took their bodies to a house, threw them inside, and burned it down.

'If You Leave Us, We Will Die'

Geoffrey Robinson

ON THE AFTERNOON of September 13, 1999, I joined one of the last United Nations patrols to venture out into Dili, the capital of East Timor. Clad in flak jackets, but unarmed, we toured the city in three vehicles. In what had been a bustling city of a hundred thousand, there were now almost no local people in sight—only scavenging black pigs, a handful of Indonesian soldiers, and militiamen wearing red and white bandanas, loading up trucks with loot, heading for the border with West Timor. Just two weeks after the historic UN-supervised vote in which some 80 percent of the population had opted for independence from Indonesia, the city was a hollow, smoking shell.

Within hours of the end of voting on August 30, pro-Indonesian militia groups and members of the Indonesian armed forces (TNI) began a rampage of violence so sustained and so ugly that it surprised even seasoned observers who had predicted a backlash. Over the next few weeks, most towns and villages in the territory were burned to the ground. Supporters of independence were beaten and raped, while others were killed. By the middle of September, 70 percent of all the buildings in the territory had been burned or destroyed, an estimated four hundred thousand people—more than half the population—had been forced to flee their homes, and at least one thousand had been killed.

Helpless in the face of the mounting violence, the United Nations Mission in East Timor (UNAMET), which had vowed to remain regardless of the outcome, evacuated all of its district offices. In Dili, armed militia gangs laid siege to the UN compound. Inside were some five hundred UN staff and more

than fifteen hundred local people who had sought refuge there. Those of us inside worried that the militia might come over the wall at any time, unimpeded by the Indonesian army soldiers who were ostensibly protecting us. But many of us were also worried about being party to a humanitarian disaster. Haunted by memories of UN inaction or flight in Rwanda and Srebrenica, we wondered what the legacy of our mission might be.

There was quiet rejoicing in the compound when we learned that the Indonesian government had agreed to allow an international military force to “assist” the TNI in ending the violence. And there was relief when all of the refugees in the compound were safely airlifted to Australia on September 14, and something close to glee when an armed international force was deployed less than a week later. But the fact remained that the violence had been widely predicted, and the UN had failed to prevent it. The questions were troubling, and impossible to avoid. Why had the UN decided to proceed with the vote in spite of widespread predictions of violence? Why had peacekeeping forces not been deployed before the vote to prevent the violence?

In one sense the answers lie simply in the self-serving policies of the United States and other Western governments, which were reluctant to offend the government of Indonesia, and so resisted calls for armed intervention both before and after the vote, and sought quickly to restore ties after the violence had subsided. This weak posture had its roots in a long tradition of international acquiescence in Indonesia's occupation of East Timor and in its appalling human rights record; and it helps to explain why later on the idea of an international tribunal for East Timor was so quickly abandoned. And yet, this simple view cannot easily explain why these very powers decided to intervene militarily in mid-September 1999. The

fact is that without that intervention we might be speaking today of tens of thousands killed rather than one thousand.

Some observers have blamed the tragedy instead on the incompetence of the UN. And there is some truth in that assessment. As the reports on UN failings in Rwanda and Srebrenica, as well as a recent report on UN peace operations, make clear, there is room for improvement in the UN's handling of humanitarian and political crises. But the portrait of UN incompetence does not really capture the political and moral complexity of the situation in East Timor. As anyone who has worked within it can attest, the UN is not a monolithic organization, and even at its highest reaches its capacity for independent action is always constrained by the views and interests of the most powerful members of the Security Council. Moreover, while it is true that the UN as a whole failed to prevent the widely predicted violence in East Timor, and chose to move ahead in spite of dire warnings, some within the UN acted in ways that saved lives.

More to the point, perhaps, it is not at all obvious that it would have been preferable to cancel the referendum. To do so might have prevented the post-ballot violence, but it would also have deprived East Timorese of a chance to determine their own future and to escape finally from a brutal twenty-four-year occupation in which nearly one third of the population had already died. Whatever its failings, it is worth recalling that the UN helped to achieve something in August 1999 that had long been considered impossible—a legitimate act of self-determination for the people of East Timor.

FOR ROUGHLY three centuries, the territory now known as East Timor was a colony of Portugal. As the rest of the colonized world fought for and won independence after the Second World War, East Timor remained largely unaffected, and lived more or less harmoniously with its enormous neighbor, the Republic of Indonesia. That arrangement began to unravel rather dramatically in 1974 when, in the aftermath of its own revolution, Portugal set about to relinquish control of its colonies. Portuguese disengagement stimulated the growth of political parties in East Timor, including a social

democratic party called Fretilin, which declared independence on November 28, 1975.

That declaration was the final straw for Indonesia's President Suharto, an army general who had come to power in a military coup in 1965. In the months after that coup, Suharto had helped to organize the killing of between five hundred thousand and a million members of the Indonesian Communist Party and the imprisonment of about a million others. Ostensibly acting against the threat of communist insurrection and political instability on its border, in early December 1975 Indonesia launched a combined land, sea, and air invasion of East Timor. The annexation was formalized in July 1976, but resistance continued, and the human toll mounted.

Using U.S.-supplied OV-Bronco warplanes, Indonesian forces conducted large-scale aerial bombardment of the countryside. Populations thought to be supporting the resistance were resettled in an Indonesian version of the strategic hamlets strategy used by U.S. forces in Vietnam. The bombing and forced relocations led to widespread famine and disease. By 1980 church and human rights sources estimated that two hundred thousand of a pre-invasion population of less than seven hundred thousand had already died. Although the scale of the killing declined somewhat over the next two decades, Indonesian forces continued to be responsible for human rights violations on a staggering scale.

Indonesia's claim to sovereignty over East Timor was never recognized by the UN. Indeed, the UN Security Council and General Assembly passed a series of resolutions deploring the Indonesian invasion and recognizing the inalienable right of the people of East Timor to self-determination. In keeping with those resolutions, the UN continued to regard Portugal as the formal administering power in the territory. The problem was that for more than two decades no concrete action was taken to give effect to these resolutions. No state with any real power in the UN had the inclination to challenge so important a political and economic player as Indonesia—the fifth (later fourth) most populous country in the world, a bastion of anticommunism in Asia, and an economic prize—for the sake of a half-island the size of New Jersey. On the con-

trary, those best placed to help, such as the United States, declined to do so.

The 1975 invasion, for example, was launched just one day after a meeting in the Indonesian capital, Jakarta, between Suharto, U.S. President Gerald Ford, and Secretary of State Henry Kissinger. The detailed transcripts of that meeting have been heavily censored or, in official parlance, sanitized, by the U.S. government, making it difficult to know exactly what was said. But State Department briefing notes for the meeting advised Ford to say that the United States “recognizes the seriousness of Indonesia’s security concerns” in East Timor and that “we have proposed the approximate doubling of the present level of our security assistance to Indonesia.” The heavy censorship of the transcripts suggests that Ford and Kissinger may have gone well beyond this agreed script; but even if they only repeated it verbatim, Suharto and his aides must have taken heart from the meeting.

In any case, the supportive posture of the U.S.-government and its allies became clear in the months and years after the invasion. According to the U.S.-State Department’s own estimates, roughly 90 percent of the military equipment used in the 1975 invasion was supplied by the United States. And in the years after the invasion, successive U.S.-administrations—both Democratic and Republican—funneled hundreds of millions of dollars of economic and military aid to the Indonesian regime and protected it from any serious political challenge to its illegal occupation of East Timor.

The United States was not alone in lending its support to Indonesia. Anxious not to alienate an important neighbor, and eager to capitalize on the economic opportunities that cooperation would ensure, Australia chose not to interfere with the 1975 invasion, and later became the first and only major power to give *de jure* recognition to Indonesia’s claim over East Timor. In 1989, Australia reaped its reward, signing the Timor Gap Treaty with Indonesia for the joint exploitation of the oil and mineral wealth lying off East Timor’s south coast. It is now known that Australia was privy to Indonesian plans to invade in 1975 and had details of the atrocities that Indonesian forces committed throughout. For most of the ensu-

ing twenty-four years, however, a succession of Australian governments sought to downplay reports of gross human rights violations in the territory and provided substantial military training to Indonesian forces. Gareth Evans, the foreign minister from 1988 through 1996, has now admitted that much of Australia’s military training “helped only to produce more professional human rights abusers.”

With this sort of backing, and with support from many other countries as well, it is hardly surprising that for more than twenty years Indonesia refused to contemplate any challenge to its claimed sovereignty in East Timor. Nevertheless, events on the ground in East Timor and shifts in the international arena began gradually to weaken Indonesia’s position through the 1990s.

THE WATERSHED event was unquestionably the Santa Cruz massacre of November 12, 1991, in which as many as 270 people were gunned down or beaten to death by Indonesian soldiers. Video footage of the massacre was broadcast worldwide, prompting outrage and stimulating the formation of East Timor support groups throughout the world. A further critical development came in 1996, when two East Timorese, the international spokesman for the resistance, José Ramos Horta, and the Bishop of Dili, Monsignor Carlos Filipe Ximenes Belo, were awarded the Nobel Peace Prize. The Nobel Prize raised hopes for independence to unprecedented levels and further increased the leverage of East Timor support groups and nongovernmental organizations (NGOs). Yet in spite of the widespread sympathy for the victims of human rights abuse and the international legitimacy bestowed by the Nobel Prize, the prospects for East Timorese independence looked bleak. Indonesian authorities were adamant that East Timor would remain a part of Indonesia.

The beginning of the end of this impasse came in May 1998 when Suharto was forced to step down after more than thirty years in power. When he named his vice president, B. J. Habibie, as his successor, few expected change. But in January 1999, in an astonishing break with past government policy, Habibie announced that the people of East Timor would

be given a chance to express their views on the political future of the territory. Clarifying the policy, the foreign minister, Ali Alatas, said that East Timorese would be asked whether they accepted or rejected a UN plan to grant the territory "special autonomy" within Indonesia. If they rejected it, he said, Indonesia would withdraw and East Timor would be on its own. This remarkable shift in the government's position seems to have been set in motion by international pressures, specifically by a December 1998 letter from Australian Prime Minister John Howard to Habibie urging the government to adopt a more flexible approach on East Timor. However, the boldness of Habibie's move surprised even those who had been urging a policy adjustment.

Clearly much had changed, but much had not. For one thing, the U.S. government and its allies remained reluctant to offend the Indonesian authorities and continued to operate according to old political dicta. As I discovered during a working dinner with Secretary of State Madeleine Albright in late February 1999, some in the State Department were still searching for ways to avoid a direct popular ballot in East Timor. In this, they were taking their cues from Alatas and army officers, not from President Habibie. From the outset, Alatas had flatly rejected the idea of a referendum, and he made a point of reiterating that position during a visit to Jakarta by Albright in March 1999.

Also unchanged was the overwhelming power of the Indonesian Army in East Timor and the implacable opposition of most of its officers to independence. Army leaders reportedly put up little resistance to Habibie's proposal in cabinet, but that did not mean they supported it. Indeed, by the time the decision was announced, the army had already set in motion plans to ensure that the vote would favor integration, or would never happen at all. As East Timorese took advantage of Suharto's fall to demonstrate openly in favor of independence, reports began to trickle out about the mobilization of militia groups dedicated to maintaining the tie with Indonesia. And with Habibie's announcement in January 1999, the trickle became a flood.

It was soon evident that these militia groups were involved in a major campaign of terror and

intimidation against supporters of independence. It was also clear that they were mobilized, trained, and supplied by Indonesian authorities, and that the violence was coordinated, or at least condoned, at a very high level. In February and March 1999, dozens of people were reported killed—some in very gruesome ways—and tens of thousands were forced to flee, after which their houses were burned. Many of those who fled sought refuge in nearby churches or in the private homes of prominent citizens. It was against these people, and in these places of refuge, that some of the most egregious acts of militia violence were committed in April of 1999. The violence included a mass killing at a church in the town of Liquica and another at the home of a pro-independence leader in Dili.

DESPITE THESE ominous developments, when Portugal and Indonesia met under UN auspices in March and April, they agreed to the idea of a direct ballot, paving the way for a set of accords known as the May 5 Agreements. The main agreement, between Indonesia and Portugal, stipulated that East Timorese would be asked to accept or reject the special autonomy package. The rejection of that package, the agreement made clear, would set East Timor on the path toward independence.

If that part of the May 5 Agreements appeared too good to be true, there was another element that from the outset was fatally flawed—the agreement that placed sole responsibility for maintaining law and order in the hands of Indonesian security forces. The UN itself, including its civilian police (CivPols) and military liaison officers (MLOs), would be unarmed. Even a brief glimpse at the history of the Indonesian armed forces and their behavior in East Timor would have indicated what a dangerous approach this was.

Some of those privy to the UN-sponsored negotiations of early 1999 have suggested that the agreement on security was a necessary compromise; that insistence on an international armed force was simply not politically "realistic" in light of Indonesia's opposition to the idea. Like most arguments about realism in politics, this is a dubious one. So many previously "im-

possible" things happened in 1999, that one simply cannot say with confidence whether, if vigorously advocated, the idea of international forces might have been accepted. And it seems clear that the argument for such a force was abandoned without being seriously tried. In a press conference in New York announcing the agreement, Ali Alatas told reporters that "throughout our discussions, UN peacekeeping forces have not been an issue that has been raised." Once again, old habits and assumptions ruled. As a Jakarta-based diplomat later admitted, "everybody conceded too much" in the course of those negotiations.

The dangers in the agreement on security were not lost on outside observers, nor even on those who helped to negotiate it. UN secretary-general Kofi Annan was so concerned about potential trouble that in a separate memorandum, dated May 4, 1999, he set out several criteria by which he would judge whether the security situation was acceptable. These included an immediate ban on rallies by armed groups, and the prompt arrest and prosecution of those inciting or threatening violence. He also made it clear that he would stop the referendum process should he find that these criteria were not being met.

WITH THAT fragile guarantee, in late May 1999 UNAMET began to deploy its personnel in East Timor with the seemingly impossible task of conducting a referendum some time in August. Almost immediately the question arose about whether it was wise to proceed with the vote—and that remained a preoccupation throughout the summer.

One of the responsibilities of the political affairs office in which I worked was to provide advice on that question to Ian Martin, the head of mission in East Timor. It was only one of many units offering advice, and events would prove that its influence was limited. But we took our responsibility seriously, and it cannot be said that the decision to proceed was taken lightly. Nor was it a foregone conclusion, as some critics have implied. In a series of internal assessments written in June and July, for example, the political affairs office argued that none of the security criteria spelled out in the secretary-general's

memorandum of May 4 had been met, and that the referendum should therefore *not* go ahead. In mid-July the head of mission expressed the same view, on behalf of UNAMET, in a number of memoranda to headquarters. In the end, however, that position did not prevail. Although there were two brief postponements, the process went ahead without significant interruption.

THE DECISION to proceed stemmed partly from the fluidity of the situation on the ground and indications that the violence might yet be brought under control. Martin and others believed that sustained political pressure might convince the Indonesian authorities to rein in the militias and allow the ballot to proceed with only minor disruptions. Although some within the political affairs office remained skeptical on this score, most UNAMET staff came to believe that it would be best to proceed. And it must be said that the arguments in favor of proceeding had merit. Perhaps most important, they coincided with the views of the main resistance leader, Xanana Gusmão, and many other East Timorese who thought the vote should proceed without delay. They pointed out that any delay would only benefit the side responsible for the violence, the side that did not wish to see a free expression of popular will. This is where some critics, frankly, get it wrong, or tell only part of the story. The fact is that it is far from clear that it would have been preferable, morally or politically, to postpone the process.

Those critics are correct, however, in thinking that the decision to move ahead was strongly influenced by political pressures emanating from the UN in New York and from the capitals of major powers. As one official of the UN Secretariat told me, there were simply no advocates of a delay at headquarters. At the political level, the UN position was constrained primarily by the five permanent members of the Security Council—the United States, the United Kingdom, France, Russia, and China. It was also influenced by a group of five states specially convened in New York for this purpose, the United States, the United Kingdom, Australia, New Zealand, and Japan, together known as the Core Group. As far as I could tell from Dili, the Permanent Five and the Core

Group were anxious to move ahead with the referendum, despite warnings of danger, and reluctant to do anything that might unduly upset the Indonesian government and military.

The decision to proceed, like the earlier decision to leave security in Indonesian hands, was also influenced by the personal representative of the UN secretary-general for East Timor, Ambassador Jamsheed Marker of Pakistan. A diplomat of the old school, Marker was a firm believer in the value of cordial face-to-face discussion. In keeping with that philosophy, and because of his friendship with Indonesian foreign minister Ali Alatas, he was more inclined than others in the UN to accept assurances of good faith offered by Indonesian officials. For some time, Marker had the ear of the secretary-general, and of his *chef de cabinet*, Iqbal Riza, a fact that inevitably led to a softening of the positions that UNAMET advocated from the field. From our perspective in political affairs, Marker had a tendency to understate the seriousness of the security situation and to let the Indonesians off the hook far too easily. Insofar as this approach was expressed in public, it also gave a skewed impression of what UNAMET actually knew and thought about security and political conditions.

AS IT BECAME clear that the vote would proceed in spite of the dangers, some UNAMET staff, not to mention East Timorese, took the view that an armed international peacekeeping force ought to be deployed *before* the vote. As one East Timorese health worker commented to a foreign journalist, "If there is trouble, the UN will send in peacekeepers, right? Because there will be trouble."

Although UNAMET was never formally asked for advice on this issue, as early as July some of us began informally to convey this view to UN officials in New York and to any visitors who would listen. Among those who did listen, and who reached similar conclusions, was a joint parliamentary-NGO delegation from Canada. At the end of its visit, on August 12, the delegation's spokesman said, "Unless Indonesia is going to live up to its obligation, we believe it is critical for a peacekeeping force to be sent to the territory immediately." A U.S.

Congressional delegation made an equally emphatic statement in late August.

However obvious the need for peacekeepers seemed to those who had been in East Timor, the idea never got off the ground. The reason was simple: in the course of negotiations in April 1999, and throughout the summer, it was either ignored or actively opposed by elements within the UN Secretariat and by key powers in the Security Council, most notably the United States. This is not to say that these powers remained silent in the face of the mounting violence. There was plenty of criticism, and even some veiled threats, for example, at a donors meeting for Indonesia in Paris in July, and again as voting day approached in late August. But peacekeepers were never mentioned. Instead, the concerned states stuck steadfastly, one might even say pigheadedly, to the position that security was the responsibility of the Indonesian authorities.

When UN staff or outside observers asked about or urged the possible deployment of peacekeeping forces, the answer was more or less the same: it would be impossible to deploy peacekeepers without Indonesian approval, or by invoking Chapter VII of the UN Charter. And, because it was assumed that neither of these things would happen, we were told it was "unrealistic" to expect peacekeepers. We were also told, as early as July, that it would take too long, three months at least, to mobilize such a force, so there was no point in discussing a pre-ballot deployment. The more practical and cost-effective approach, a series of policy and planning memoranda from New York explained, was to insist that the Indonesian authorities live up to their obligations for maintaining peace and security.

Significantly, when the Security Council finally lent unanimous support to the Australian-led Multi-National Force (MNF) in mid-September 1999, its resolution invoked Chapter VII of the UN Charter and gave the MNF authority to use all necessary means to restore security. Moreover, notwithstanding the earlier claim that a force would take at least three months to deploy, the MNF was on the ground within a week of the Security Council resolution. This was possible, it turned out, because Australia had begun to mobilize troops as early

as March 1999 for this very purpose and by late June had a contingent of six thousand troops ready to go. The United States had also drawn up contingency plans and would certainly have been in a position to deploy troops had the command been given. In other words, all that had been said about the impossibility of deploying peacekeepers was simply untrue. What had prevented it from happening earlier was not political reality, nor even logistical difficulties, but an acute lack of political courage, imagination, and leadership.

Some measure of the lack of support for the peacekeeping option may be found in various post-ballot planning documents developed within the UN Secretariat starting in mid-July 1999. None of the plans I saw discussed the matter of peacekeepers at all. Instead they repeated the mantra that, regardless of the outcome, in the post-ballot period the Indonesian authorities would continue to be responsible for maintaining security. It was as though by mere repetition this pipe dream would come true. Within the UN Secretariat, the argument against a pre-ballot deployment of armed peacekeepers was put most stridently by the department of peace keeping operations (DPKO); and its objections effectively torpedoed an idea that did have some support in other departments, notably in the department of political affairs (DPA). The DPKO position coincided with the views of powerful states within the UN Security Council, particularly the United States.

U.S. opposition stemmed in part from concerns that the United States would have to foot a large part of the bill. It was also the legacy of the death of U. S. peacekeepers in Somalia in 1993, and the presidential directive that followed from it (PDD 25), which imposed strict conditions on U.S. support for any UN peacekeeping mission. The strongest opposition to the peacekeeping option in the United States appears to have come from the Pentagon, though the White House also resisted at least until some time in the second week of September. Nor was there much serious support for the idea in Congress until very late in the game. Although the State Department gave the idea more support, it scrupulously avoided mentioning peacekeepers in its public statements. At the UN, U.S. Ambassador Richard Holbrooke,

who would later criticize Congress for slashing peacekeeping budgets, gave no hint of support for peacekeepers in East Timor until well after the referendum.

Whoever the architects of the policy were, opposition to peacekeepers prevailed in the United States and the UN until September 10—almost two weeks after the militias and the TNI began their campaign of violence. So it was that the UN found itself utterly unable to do anything as the violence descended on East Timor.

WHEN THE POLLS opened at 6:30 a.m. on August 30, 1999, most voters were already in line. Defying threats by armed militias, many had walked for hours in their Sunday best for the chance to vote. When the figures were tallied at the end of the day, UN officials announced that an extraordinary 98.6 percent of registered voters had cast their ballots. The decision to proceed in spite of predictions of violence appeared to have been vindicated. Almost immediately, however, the wisdom of that decision was thrown into question. Within hours of the end of voting, pro-Indonesian militia groups and members of the TNI began an unprecedented campaign of violence.

The first known victim was a local UN staff member, João Lopes Gomes. A fifty-year-old school teacher and father, Gomes was stabbed in the back and killed as he helped to load ballot boxes into a vehicle near Atsabe village in Ermera, just after the polls had closed. The news came to UN headquarters in Dili in a garbled radio message. The next day, I joined a small investigation team that flew to the scene of the attack by helicopter. Although our work was cut short by the escalating violence, we were able to establish that Gomes's assailants had been local militiamen, sporting red and white bandanas and armed with swords, home-made guns, and knives. We also learned that, at the time of the attack, they had been accompanied by TNI soldiers and the local military commander.

Within a few days, all UN officials had been drawn back to the headquarters in Dili, and the compound was effectively under siege. UN staff who ventured outside saw militias burning and looting while TNI soldiers and police

looked on. On the morning of September 6, we learned that militias had attacked refugees who had sought shelter in the cathedral in the town of Suai, killing dozens. The same morning we heard that militias had attacked Bishop Belo's residence and the office of the International Committee of the Red Cross (ICRC), where many had sought refuge. The militias were said to have killed scores of refugees on the spot, while herding hundreds of others onto trucks and buses. Again Indonesian Army and police forces had done nothing. As the situation deteriorated, some two thousand East Timorese, the vast majority of them women and small children, sought refuge in the compound. They brought news of further abominations—including rape by militiamen and TNI soldiers. Huddled inside the compound we slept on scraps of cardboard and grew accustomed to the constant clatter of automatic and home-made weapons fire outside. While we sat immobilized inside, the country burned.

THANKS LARGELY to a handful of journalists who had stayed on, news of the dramatic escalation of violence began to make its way out of East Timor, where it prompted furious reactions from religious leaders, legislators, and citizen groups. In Lisbon, huge crowds lined the streets to greet Bishop Belo. In Australia, Canada, and much of Europe, angry demonstrators demanded swift international intervention. The news of the attacks on the bishop's house and the ICRC reached New York early on Monday, September 6. At a meeting of the Core Group later that day, the Australian ambassador argued for the first time that an international force must be deployed without delay. That evening Kofi Annan spoke by telephone to the president of Portugal, to the Australian prime minister, and finally, after 10 p.m., to President Habibie. He called on the president to bring the situation under control within the next forty-eight hours or to allow the international community to do so. Later that evening, Habibie declared martial law in the territory with effect from September 7. Far from improving, however, the security situation worsened.

With each day, the situation inside the compound grew more critical. Although many of the

refugees had brought some food with them, certain basic necessities—rations, drinking water, fuel—began to run low, and the logistical problems of housing two thousand people started to become serious. Without any doubt, however, the darkest day in the compound was September 8. That evening, a decision was taken to evacuate all remaining UN international staff, effectively leaving some fifteen hundred refugees to their fate. The recommendation to evacuate was made by the head of mission, Ian Martin. The decision provoked a storm of protest within the compound and brought to a head fundamental questions about the UN's priorities and responsibilities.

Four of us from political affairs and humanitarian affairs were given the task of conveying the news to the community leaders in the compound. Surrounded by people like the courageous Sister Esmeralda and others whom we had come to know in the preceding months, we could scarcely find the strength to speak. Instead we wept, because we were sure that when we left all those inside would be killed. Worse still, we were asking fifteen hundred people to decide in a matter of just a few hours, whether to stay and await that fate or to flee through the night into the hands of the militia and TNI soldiers.

Sister Esmeralda waited patiently for us to finish. And when we had, she spoke. "Whatever else may happen," she said, "this referendum has removed any doubt that East Timorese wish to be free. For conducting it, we will always be grateful to UNAMET." Wiping tears from her eyes, she went on: "We knew there would be violence after the vote and we hoped that you would stay. And yet, we are not surprised that you plan to leave us now. We are used to being abandoned in our times of greatest need." Finally, saying that she and the others had no more time for talk, she excused herself and left. Overcome with shame, we delegated one of our group to approach Ian Martin and convey our view that the decision to evacuate was wrong. Martin did not disagree, but explained that the heads of security, CivPol, and MLO had all strongly advised evacuation. The heads of those units, he said, had given the impression that the majority of their staff were demoralized and anxious to leave.

MEANWHILE, a sense of outrage began to grip other UN staff and the handful of journalists and observers who had taken refuge in the compound. Those feelings fueled a rebellion of sorts. A group of journalists demanded to speak to Martin, threatening to denounce the evacuation decision publicly. Outside I was confronted by a journalist from the *Sunday Times* who demanded that I make an exception to get an East Timorese friend and his family on to the UN evacuation flight and likewise threatened media exposure if I should fail to do so. As it happened the man in question, Antonio Belo, was also an old friend of mine, whose safety I would have done almost anything to secure. I told Antonio and the journalist this, although I was deeply pessimistic at the time that Antonio or anybody else would be able to leave.

Notwithstanding the earlier claims by security, CivPol, and MLO chiefs that most of their staff were anxious to evacuate, by about 9:00 p.m. there was a strong sentiment that international UN staff should not leave before the fifteen hundred refugees had been taken to safety. More precisely, a quick straw poll conducted at Martin's request had revealed that at least eighty of the hundred or so international staff still in the compound were prepared to stay on even if the evacuation went ahead. Surprised, but I believe also heartened, by this show of resolve, Martin conveyed the news to UN officials in New York by telephone. At the same time, he informed them that General Wiranto, TNI commander, had urged UNAMET to stay and said that the TNI officers on the ground had concurred.

By the end of the evening the decision to evacuate UN staff had been postponed by twenty-four hours. As the news spread through the compound, there was quiet jubilation. In retrospect, it may seem odd that a one-day reprieve would be the cause for rejoicing. But the reality was that, against the backdrop of the original plan for a total evacuation that very night, twenty-four hours seemed an eternity. More important, there was a sense that a critical turning point had been reached. Indeed, although more than four hundred local and international UN staff did evacuate as planned some twenty-four hours later, a skeleton UN

staff stayed in the compound until the safety of the refugees could be secured.

As the days passed, we waited anxiously for news of the international intervention that we assumed was now inevitable. We were encouraged to hear that France had dispatched a navy vessel to the area; that Canada's prime minister had said the international community would have to step in if the violence continued; that the secretary general of the North Atlantic Treaty Organization (NATO) had called for urgent international intervention; that Japan's prime minister had said that the world "cannot just stand by"; and that Australia's defense minister had said its forces could be ready to move within days.

But it was deeply distressing to read in the press that Ambassador Marker, a member of our own team, had "refused to lend credence to reports of [Indonesian] military support for the militia" when for months we had carefully documented and argued precisely that case. And we learned with disbelief that the most important state of all, the United States, was still equivocating. When asked why the United States had not taken the lead in resolving the mess in East Timor, National Security Advisor Sandy Berger reportedly said that his daughter's university dorm room was also a mess, but that didn't mean the U.S. government should clean it up for her. The sheer stupidity of this comment aside, it made it clear that the United States was still insisting that responsibility for restoring order rested with the Indonesian armed forces. Passed by word of mouth through the compound, this news was greeted with groans of disbelief. Everyone understood that it was precisely those forces that were orchestrating the violence. It was preposterous to insist that they now be entrusted to stop it.

Then, just as fear had begun to turn to despair, the picture began to brighten. From my perspective in Dili, the critical turning point was the visit of the UN Security Council delegation on September 11. After a series of meetings with Indonesian military authorities, the delegation came to the UNAMET compound. Crammed two or three deep in Ian Martin's office, the delegates were briefed on the crisis. The message was unambiguous: Indonesian assurances were meaningless, and

swift international intervention was essential.

The most powerful message, however, did not come from UNAMET officials, but from East Timorese refugees, during a tour of the compound guided by Sister Esmeralda. Out of nowhere, a young woman rushed up to the head of the delegation, Martin Andjabe of Namibia. Seizing his hand, she said, "Please do not leave us here. We are so afraid." Andjabe first answered somewhat stiffly, saying that the UN would do everything possible to ensure their safety. Having heard this line before, the woman interrupted and, still holding his hands, said, "No, you don't understand. If you leave us here, we will die. You must promise." At that moment, Andjabe's countenance changed. Looking straight into the woman's eyes, and then wrapping his arms around her, he said, "We will not leave you. I give you my word."

Outside the UN compound, beyond Dili, in the capital cities of powerful nations, on the streets and on front pages, over telephone lines to the offices of Indonesia's president and armed forces commander, the pressure had begun to build—indeed, the critical decision may already have been made. That was a story I would learn many weeks later. But, as far as I was concerned at the time, the tide of our fortune had turned with those words: "We will not leave you. I give you my word."

ALTHOUGH WE did not realize it until later, an equally critical turning point had come twelve hours earlier on September 10, when Kofi Annan issued an unusually strong public statement about the crisis. "The time has clearly come," he said "for Indonesia to seek the help of the international community in fulfilling its responsibility to bring order and security to the people of East Timor." He urged Indonesia to accept this help, and warned that "if it refuses to do so, it cannot escape responsibility for what could amount, according to reports reaching us, to crimes against humanity." The allusion to crimes against humanity buoyed our spirits considerably because it indicated a new level of commitment on the part of the UN.

Just as important, the statement indicated that the secretary-general was prepared to bring to bear the full weight of his office in finding a

solution. By this point, Annan was personally involved in every detail of the crisis; in the words of one UN official, in those weeks he became "the desk officer for East Timor." His statement of September 10 reflected his strong personal views on the matter and in particular his belief that claims of national sovereignty must not be allowed to stand in the way of effective international action in defense of human rights. On September 9, the night before the statement, Annan had spoken to U.S. President Bill Clinton and Australian Prime Minister John Howard by telephone, asking what they were prepared to do. Later that night, he called Xanana Gusmão and told him that he was determined that the UN would not leave East Timor.

Perhaps by coincidence, although probably not, September 10 was also the day that the United States finally changed its tune on the question of peacekeepers. The day before, Clinton had issued an executive order severing ties with the Indonesian military. Now, on his way to a meeting of the Asia-Pacific Economic Cooperation group in Auckland, New Zealand, Clinton said that Indonesia must accept an international force. The same day, the International Monetary Fund, citing the problems in East Timor, decided to suspend talks with Indonesia on its economic recovery program. That decision meant, in effect, that the IMF would not disburse some \$460 million in mid-September as planned. At about the same time, the World Bank announced that it had frozen \$300 million that had been scheduled for disbursement the following week. Shortly thereafter, the president of the Paris Club of creditors announced that the group had decided to delay any decision on credit for Indonesia until the next year because of the situation in East Timor.

The next day, September 11, the British foreign secretary announced the suspension of all arms exports to Indonesia; a move later followed by the European Union. In New York, there was an unusual open debate in the UN Security Council, in the course of which some fifty states spoke, most of them arguing in favor of urgent international intervention. In Auckland the following day, Clinton reiterated U.S. support for the idea of an international force. Indonesia, he said, "must implement the results

of the balloting, and they must allow an international force to help restore security. We are ready to support an effort led by Australia to mobilize a multinational force to help bring security to East Timor under UN auspices." That afternoon, the Security Council delegation met President Habibie in Jakarta, and discussed the deployment of international forces and the evacuation of the refugees.

After that meeting the Indonesian cabinet convened to discuss the same issues. Habibie emerged from the cabinet meeting in the evening and made the announcement that effectively brought an end to the crisis. Gathered anxiously around a radio in the UN compound with East Timorese friends, we listened as he declared that Indonesia would welcome the assistance of the international community in restoring peace in East Timor. The final obstacle had been removed. Two days later, all remaining UN staff and refugees were safely evacuated from Dili to Darwin by giant Hercules C-130 aircraft, and the next day the UN Security Council passed Resolution 1264, lending its full support to a swift deployment of a multinational military force. Within a week those forces began to land in East Timor.

WHAT BROUGHT this dramatic change in the posture of the international community and, in particular, what finally changed the policy of the United States? What was it that made international military intervention a possibility in mid-September when so recently it had been said to be impossible?

Part of the answer surely lies in the shocking television images and other media coverage of the events of early September. One senior Western diplomat involved in the East Timor issue told me that his country's policy "was not driven by realpolitik but by reactions to images on the television." These images, together with the realization that the violence was being abetted by the Indonesian military, generated widespread outrage among ordinary citizens and provided the basis for mobilizing protests and demands for international action. On September 7, the UN's department of public information notified Kofi Annan that they had already received sixty thousand messages call-

ing for urgent action to assist East Timor. The outpouring of concern was so great that the department had to set up a separate computer server to handle all the messages.

The impact of media reporting was accentuated by the presence of international UN staff and a handful of foreign journalists and observers in Dili as the violence descended. Terrible as it may seem, without the possibility that foreigners would die, key governments might never have felt compelled to act. The preoccupation with the safety of foreigners was evident even in the statements of officials known for their sympathy toward the East Timorese. In pressing for UN intervention in early September, for example, New Zealand's foreign minister said, "What one hopes comes out of the Security Council of course is that you can somehow cordon off those UN-related people over there and give some kind of protection for them." Political leaders were also moved by some of the decisions and actions taken by UNAMET staff in Dili. The refusal of many UN staff to evacuate from Dili on September 8 forced key UN member states to act to avoid sharing responsibility for a political and humanitarian fiasco.

Still, it is unlikely that media images and reporting would have translated into a change in policy had there not already been a sophisticated worldwide network of legislators, religious leaders, and grassroots organizations in place long before the crisis. When I asked a Canadian diplomat what it was that had finally convinced his government that it must support intervention, his answer was unequivocal—it was the NGOs. Canada was not alone in this regard, though the precise composition of the NGO network varied from place to place. In the United States, much of the work was done by private advocacy groups that had been working through the Catholic church and Congress since the 1970s. Elsewhere, NGOs such as Amnesty International had built up an unusually rich portrait of the human rights problem in East Timor and had established channels of access not only to the media but to government decision makers and officials at the United Nations. This essential groundwork meant that when the crisis came, the lobbying effort did not have to start at square one.

Historical memory also played a key part.

From the outset, the 1994 genocide in Rwanda and the 1995 massacre in Srebrenica were on the minds of UN officials in Dili and in New York, and they played a role in the deliberations of various states. The parallels were difficult to ignore, especially for those with some direct involvement in the earlier debacles. That group included Madeleine Albright, who was ambassador to the UN when the United States blocked the Security Council from sending peacekeepers to Rwanda during the genocide; Kofi Annan, who had been head of the UN's department of peacekeeping operations at the time of the genocide in Rwanda; and his chef de cabinet, Iqbal Riza, who had served under Annan at that time.

Memories of Rwanda and Srebrenica probably influenced members of the Security Council too, particularly those that had stood in the way of effective intervention. Whether or not that was the case, Security Council action, and in particular its visit to East Timor, was critical in forging a consensus on concerted international action. Through their personal experience of the violence, and of the mendacity of Indonesian officials, the delegation was transformed into a powerful advocate for intervention. Likewise, the personal commitment of the secretary-general, and his decisive diplomacy at the height of the crisis, were critical in bringing about a change in the political balance.

Faced with this combination of forces, even the most reluctant of the major powers, as well as such institutions as the Pentagon, found it virtually impossible not to act. It is sobering to think that without such pressures they would in all likelihood have done nothing at all.

As one of those trapped inside the UN compound in September 1999, I was deeply relieved to hear that military forces were coming. And the fact is that the troops that arrived in late September did an admirable job in bringing an end to the violence and easing the militias and the TNI out of the territory by the end of October. In that sense, the military intervention was an enormous success. Only a few months later, however, it was clear that the international community had failed to resolve, or even adequately address, a number of other serious problems. Paramount among these was the question of justice.

Egregious human rights violations lay at the heart of the need for international intervention in September 1999 and led initially to calls for international investigations and even an international tribunal along the lines of those established for Rwanda and the former Yugoslavia. UN experts duly visited East Timor in November and December 1999 and proposed that further international investigations should be conducted with a view to bringing those responsible promptly to justice. Unfortunately, these investigations and the idea of an international tribunal very quickly lost the support, if they ever had it, of the United States, Australia, the European Union, and other key governments, which began to push instead for an Indonesian judicial process that everyone knew would ultimately fail.

The main reason for equivocation by the United States and its allies on the matter of human rights investigations and trials in East Timor was a desire to restore good relations with Indonesia as quickly as possible, in particular with its armed forces. The United States, the EU, Australia, and other governments were never keen on breaking ties with the army, and they did their best to restore those ties as quickly as possible after the mayhem in 1999. One way of reassuring the TNI of their friendship was to ensure that it would never have to face any serious accounting for the crimes it committed.

Conveniently, a special investigation team of the Indonesian National Human Rights Commission was quickly established to look into the violence. Its report, released in January 2000, called for the indictment of thirty-two people, including the then-TNI commander, General Wiranto. While greeted by some outsiders as a refreshing sign of change in Indonesia, there was deep concern among the East Timorese and human rights experts that the Indonesian report would simply be used as a foil by the military to deflect demands for an international inquiry and tribunal.

BY EARLY 2000, it was clear that this was exactly what was happening, as the United States and other major powers began to soften demands for an international inquiry and to suggest that an Indonesian judi-

cial process might suffice. In February 2000, and perhaps earlier, the Pentagon began quietly to restore military education and training (IMET) programs that had been cut in mid-September, and the European Union formally ended the arms embargo that it had imposed about the same time. In July 2001 the Bush administration announced its intention to seek a full resumption of military sales and ties to Indonesia. These moves sent a clear message to the TNI that it was being eased off the hook, long before any serious measures had been taken to resolve the matter of justice.

Pentagon officials have sought to justify this resumption of military ties on the grounds that such ties are the best way to guarantee respect for human rights and civilian rule in Indonesia. But this argument overlooks the fact that thirty years of close ties with the TNI did nothing to prevent the widely anticipated violence in East Timor in 1999. Nor did those ties stop the violence once it had begun. Indeed, it was only after the United States and other governments cut their military ties and arms sales to Indonesia that the worst violence and killing were brought to an end.

The folly of the velvet glove approach has been brought home by a number of alarming developments since 1999. In September 2000, Indonesian security forces stood by and watched as militiamen killed three staff members of the UN High Commissioner for Refugees at their office in West Timor, and then burned their bodies beyond recognition. The victims were among the humanitarian workers assisting the East Timorese who had fled their homes in 1999, and the perpetrators were the very militiamen who had forced them to flee. The murders were met by a storm of international condemnation—from the United States, the World Bank, and the UN Security Council, which condemned “this outrageous and contemptible act.” But the basic policy did not change, and the matter was left in the hands of Indonesian authorities. Several months later, the prosecutor in the case announced that the six alleged perpetrators would only be charged with assault—a decision described by a diplomat as a “despicable whitewash”—and in May 2001 they received sentences of between ten

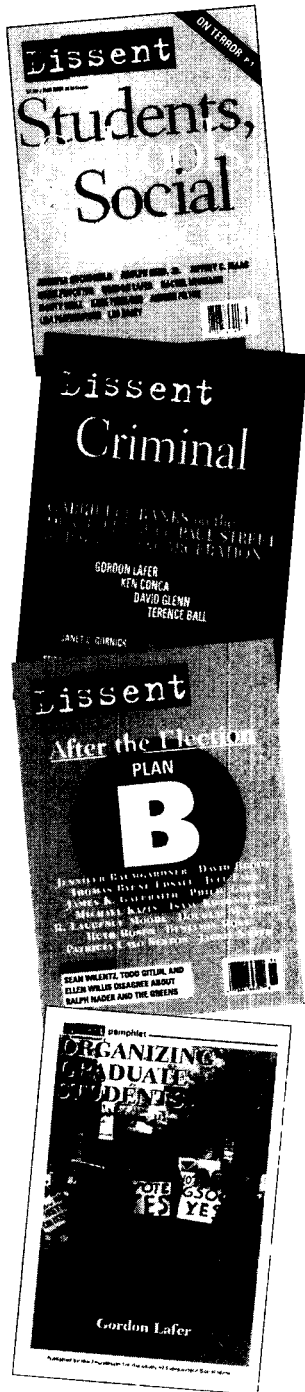
and twenty months.

Meanwhile, Indonesian authorities continued to drag their feet in a most disgraceful way in regard to the prosecution of those responsible for the violence in East Timor in 1999. As widely predicted, by mid-2001 none of the suspected perpetrators had been brought to justice, and Wiranto had been removed from the list of suspects. In a largely successful attempt to deflect international attention, the Indonesian government announced plans to establish ad hoc human rights tribunals to try these cases. But as legal and human rights experts noted, there were fatal problems with the mandate and the makeup of these courts. Most glaringly, a presidential decision (No. 96/2001) limited the jurisdiction of these courts to violations that had occurred in April and September 1999 in only three of East Timor's thirteen districts. The decision effectively guaranteed that the majority of crimes committed during 1999 would never be investigated or tried.

This depressing scenario is not likely to be rectified any time soon. Particularly in the aftermath of the attacks of September 11, 2001, the arguments in favor of maintaining ties with abusive regimes will only become stronger, and the prospects for remedying crimes against humanity committed by those regimes will grow ever more remote. The costs of such expediency will also be high for Americans and for the credibility of the U.S. government's war against terrorism. For the story of East Timor illustrates that there is a sound basis for the skepticism with which U.S. policy is viewed in much of the world and good reason to doubt the sincerity of America's professed opposition to the use of violence against civilians. ●

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Back Road Reckoning

Justice in East Timor

Erin Trowbridge

AUGUST 30, 1999, should have been a day of celebration for the people of East Timor. In a referendum in which more than 98 percent of the eligible voters cast their ballots, 78 percent voted for independence from Indonesia, throwing off twenty-four years of occupation. It was not, however, a decision Jakarta was prepared to accept. Five days later, on September 4, when the results of the election were announced, forces opposed to independence set about delivering a devastating punishment. With the aim of leaving nothing but scorched earth, the pro-Indonesia militias of East Timor, with the support of the Indonesian army, began their rampage across the country.

In the weeks that followed, more than twelve hundred people were massacred and thousands of women were beaten and raped. According to a United Nations assessment, "Building Blocks for a Nation," two hundred thousand people fled or were pushed across the border into refugee camps in West Timor, the Indonesian half of the island. Overall, 75 percent of the population was displaced. At night, observers could see hundreds of small campfires dotting the mountainside where people waited until it was safe to come back down.

"The militia told everyone in town that if we stayed we would be killed," said Rosarinha Munis in Maliana, a town near the border of West Timor. "They killed my husband and two of my children and they burned down my home, then they made me go to West Timor, to Indonesia. We didn't know if they would kill us there, but when they told us to go, they had knives. We knew what would happen if we stayed."

Human rights activists consider the campaign of forced evacuations the clearest sign that the devastation of East Timor was methodical and not the haphazard, spontaneous outrage of a few unorganized militia groups. In late September 1999, Amnesty International reported, "Independence activists are being hunted down at checkpoints, on boats and in house-to-house searches. Militia and members of the Indonesian army (TNI) continue to intimidate, threaten and attack the displaced East Timorese with total impunity." The report called the forced deportations a deliberate policy by the TNI.

"We knew it was coming," said David Savage, a civilian police officer from Australia who was in Maliana with the UN as an electoral monitor at the time of the referendum. "In the days just after the vote, with every hour there was an increase in violence. We heard gunfire, the houses were being burned. The militia had taken over the town and we were unarmed and unprepared. The last night we were there, we were convinced we would die, they were firing on us, they were burning things down. I called my family to say I wasn't sure I'd see them again. The militia wouldn't let the local staff members leave with us when we finally got clearance to retreat to Dili. They told us we could either go alone or stay with them. We knew the implications. We sneaked them into the transports anyway. We weren't going to leave them to be killed."

There were not, however, enough David Savages to go around in 1999. At the time of the referendum there were approximately eighteen thousand militia, most of whom were foot soldiers loyal to Indonesia and prepared to follow whatever orders they were given, regardless of the consequences for the East Timorese. In the weeks after the vote, the black-shirted militia methodically destroyed crops, stole farmers' tools, killed livestock, and set fire to

most of the nation's buildings. Once the towns were razed, they worked their way out into the surrounding countryside and mountains. They followed riverbeds and paths cut through the mountainous terrain for the Indonesian army. They burned, raped, displaced, and murdered unchecked until, on September 20, a UN peacekeeping force was finally allowed to go in.

The violence never reached genocidal proportions, but what happened there in the space of twenty-one days was nonetheless devastating. The physical destruction of the country was immense—70 percent of houses were destroyed, as were 77 percent of all health facilities and 95 percent of the schools. All public services collapsed.

I arrived in East Timor in July 2001, two years after the massacre, and I could still see the devastation. The narrow, pot-holed streets of Dili were lined with the burned-out remnants of homes. Roofs, windows, and doors were gone. Charred black streaks stretching out from the windows curled up the sides of houses. Traffic lights hung hollow and askew. Some buildings had only the barest reminder of their former infrastructure—a wall here, half a floor there. There was throughout the city the sweet, pulpy stench of garbage, waste, and rot. Free-roaming swayback pigs ate and rested in the town's irrigation canals. Goats, chickens, dogs, sheep and cows were tied with flimsy rope to trees, fences, or whatever was standing.

In one town, invading militiamen had filled an irrigation ditch with concrete. In the countryside and villages, they had torn the roofs off buildings. The idea was to leave no place for people to gather or take refuge.

In Suai, a tropical haven just a few miles away from the southern coast of East Timor, hundreds of people ran to the church, thinking they'd be safe there. For days, militiamen and Kopassos soldiers, the Indonesian Special Security Forces, drove back and forth in front of the church compound firing into the crowds. Finally, they entered and began shooting. More than two hundred people were killed. The ubiquitous yellow Mitsubishi mini-dumptrucks, small enough to manipulate the torn-up roads, were hired out to haul the bodies across the border into West Timor, where they were

dumped, most likely, into the sea. They have not been recovered. Throughout East Timor, few bodies have. Today, hundreds of grave markers are piled up as a memorial just a few feet away from the doors of the church.

When the shooting and burning began in Maliana, people were told, as part of UN protocol, to report to the police station. Hundreds did, and most stayed there for days; but even in the station, they were subjected to beatings and rapes. In the killing fields of the countryside, it was worse. People were chased from their houses, children were killed in front of their families. One woman's husband was shot as she stood in the next room asking what was happening. Before the slaughter stopped, more than fifty villagers had been hacked to death.

Today, crosses stand throughout the countryside, testament to the Catholicism left over from centuries of Portuguese rule. They are solemn memorials for those who disappeared or died in 1999. There are black iron crosses, simple wooden ones, crosses made from dried earth. Piles of stones, too, mark the ground where people fell. Everywhere in the mountainous terrain, there are signs of remembrance.

EAST TIMOR is a tiny place, half an island at the far eastern end of the Indonesian archipelago. It is home to only eight hundred thousand people. This half of the island was the main Portuguese holdout in Indonesia during the centuries that the vast spray of islands—thirteen thousand in total—was colonized by the Dutch. Even through the Second World War, when Japanese soldiers invaded and occupied the island, which is strategically positioned only a few hundred miles north of Australia, the Portuguese took to the mountains and fought to get their land back.

In April 1974, Portugal's "carnation revolution" caused tremendous political upheaval and the viability of maintaining East Timor as a colony was finally reconsidered. Portugal began the process of decolonization. On November 28, 1975, the Revolutionary Front for an Independent East Timor—known as Fretilin—an anticolonial, Marxist-based nationalist party, declared independence after four hundred years of colonial rule. Nine days later, and only

hours after meeting with U. S. President Gerald Ford and U.S. Secretary of State Henry Kissinger, Indonesia's President Suharto authorized Indonesian troops to invade East Timor. The fear of communism in the West and its spread through the East gave Indonesia an excuse to invade the island, annex the territory, and nip in the bud any separatist movements that may have been spawned by East Timor's brief independence. According to the UN country report, in the first month after the invasion, sixty thousand East Timorese were killed, and after that, the death toll continued climbing. All told, the 1975 invasion, annexation, and repression that followed left, directly or indirectly, more than two hundred thousand East Timorese dead.

WHEN IT CLAIMED East Timor as its twenty-seventh province, Indonesia assumed control over a severely underdeveloped country. When Portugal pulled out quickly and without looking back, little infrastructure was left behind. Access to clean water was available to only half the households and sanitation to even fewer.

For the next twenty-four years, Indonesia ruled with terror and an iron fist. The East Timorese independence movement retreated back up into the mountains. Although Indonesia's annexation of East Timor was never recognized by the United Nations, the occupation was carried on and the world seemingly forgot about the people living in this hostile occupied land.

In these decades, though, the independence fighters kept fighting the occupying forces, and by the end of the nineties, international human rights activists and journalists were denouncing the occupation. Desperate to keep its island nation intact, Indonesia had little need to worry about world opinion on the matter, until 1998, when, after the ousting of President Suharto, B. J. Habibie assumed the presidency. Saddled with an economy wrecked by the Asian financial crisis, vast governmental corruption and cronyism, and growing international criticism of the occupation of East Timor, Habibie called for a popular referendum to decide East Timor's fate. The UN, Indonesia, and Portugal, acting on East Timor's behalf, began to hammer out

the details of how the referendum would be held, what the process would look like, and who would be responsible for what. In the end, they decided that the UN would monitor the elections and, in a decision that was to end in disaster, the Indonesian military would guarantee East Timor's safety.

On May 5, 1999, when the three parties finally reached an agreement, Kofi Annan, the UN secretary-general, voiced his concern about the increase in violence throughout East Timor. He urged "all elements and political tendencies in East Timor to refrain from any resort to force and to cooperate with the United Nations." At the time, Annan pointedly noted the assurances given by Habibie that his government would fulfill effectively its "responsibility for law and order and the protection of all civilians."

In the weeks that followed, as the UN established its presence in East Timor under the leadership of Ian Martin, the special representative of the secretary-general, it emphasized its neutrality in press releases and speeches. The UN, its officials made clear, was only in East Timor to ensure that people could vote in a secret, free, and fair election. Meanwhile, reports of harassment and beatings were coming from every part of the country. On June 1, 1999, Martin declared, "An end to all violence is essential for a fair campaign and ballot."

On June 11, the UN Security Council established the United Nations Mission in East Timor (UNAMET) to run through the end of August. In a unanimous resolution, the Security Council agreed to send 280 civilian police officers to advise the Indonesian police and fifty military liaison officers to work with the TNI. The resolution stated that the Indonesian government was to be responsible for the "maintenance of peace and security in East Timor, the integrity of the ballot and for the security of international staff and observers." Nonetheless, the violence continued to escalate. On June 18, at a press conference in Dili, Martin said that tens of thousands of East Timorese had already been forced from their homes. He cited evidence that campaigning by pro-autonomy groups had been supported by the TNI.

By July 22, two hundred voter-registration

centers had been opened, and within ten days, more than one-fourth of the population had registered. UNAMET was now forced to deal with the chaos caused by pro-autonomy militia and the Indonesian armed forces. Special registration plans had to be developed for the thousands of East Timorese who had already been forced from their homes.

Some East Timorese leaders, including José Ramos Horta, co-recipient of the 1996 Nobel Peace Prize, suggested postponing the elections and waiting until some of the dust had settled. But according to journalists, East Timorese independence activists, and UN officials, the people of East Timor did not want to wait. Fearing that Indonesia might never offer the same opportunity again and having waited so long, the people of East Timor said they were ready for a referendum.

"Everyone involved in the process behind the May 5 agreements knows that had the United Nations demanded that it be allowed to deploy organized military units here, to protect its staff and East Timor's population, Indonesia would have said no and the referendum would have been off," said Sergio Viera De Mello, administrator of the United Nations Transitional Administration for East Timor (UNTAET). "I don't think there was any way the violence of 1999 could have been avoided in these circumstances. I don't think it was possible to do it differently. The people negotiating with Indonesia and with Habibie knew that the offer for a referendum on independence was hanging by a thread. [If] the UN or Portugal pushed it too far, the thread would break and the window of opportunity would close and never open again."

On August 30, the polls opened and the people voted. For a brief moment the militia pulled back and waited. The violence on August 30 was tame compared to all that had come before. Several polling stations were shut down for a few hours, and after the polls had closed a local UN worker was stabbed to death. But that was it. At the end of the day, Annan confidently described the vote as "an expression by the East Timorese of their will as to their future" and urged all East Timorese groups to "exercise the utmost restraint and patience in the post-balloting period."

If Annan had any inkling of the bloodbath that was to follow, he never let on. Four days later, the lull of peace was shattered when the results of the referendum were announced. On September 16, Indonesia—faced with growing international pressure to stop the butchery that it had unleashed—conceded the necessity of a UN force to restore order in East Timor. Five days later, the first United Nations multinational troops, led by Australian forces, landed in Dili.

ON OCTOBER 25, 1999, the United Nations Security Council established the United Nations Transitional Administration for East Timor as the "integrated, multi-dimensional peace-keeping operation fully responsible for the administration of East Timor." It marks the first time the UN has ever run an entire country. It also shows how difficult it is, after a disaster such as happened in East Timor, for the United Nations, or any international agency, to pick up the pieces. When I traveled to East Timor in the summer of 2001, the UN presence was visible everywhere. The pale blue UN flag waved in the dry wind in front of Komodo Airport in Dili welcoming international guests. Passports were stamped with a very matter-of-fact "Authorization to Enter—UNTAET." In Dili, white Land Cruisers painted with bold UN-blue acronyms were ubiquitous. The long, white, pillared government building that belonged first to Portugal and then to Indonesia now flew a UN flag and boasted an enormous sign reading "UNTAET HQ."

UNTAET's mandate was to help create a government that could be handed over to East Timor and simultaneously to train people by developing an East Timorese professional class that had been willfully neglected for hundreds of years. It was an enormous task. In 1975, when Portugal left, there were only three East Timorese doctors. By 1999, only seven lawyers were indigenous.

"At the end of 1999, East Timor was a strange land," according to a report issued by Timor Aid in 2000. "There was no government, no official language or currency, no system of law, no media, no shops or schools. Not only was the country physically plundered and raped, but also, no former structure existed

which could be used as a base for rebuilding.”

The UN strategy for East Timor’s development has been to build a modest economy—based on rice, coffee, fisheries and oil—supplemented by strategic international aid. The World Bank has pegged the annual budget for East Timor at sixty-five million dollars. Some say that, with the oil prospects in the Timor Sea, this number is too conservative. World Bank officials say that for the time being it is better to be safe than sorry.

Coffee has already proved to be a money maker. In 1998, the entire crop of East Timorese coffee—which is “organically” grown because of a lack of access to chemicals and fertilizers—went to Starbucks. The land and the crops, which in 1998 garnered nearly twenty million dollars, have not been fully recovered since the burnings of 1999. José Teixeira, from East Timor’s Department for Economic Affairs, estimates that with national support the coffee industry can reap fifty million dollars annually. Driving through the mountainous countryside one can see that the industry is still small and family run. Along the beaten roads, young girls sit outside their homes on blankets covered with beans being dried in the sun. On the roadside, groups of men pry the bean from the pulpy fruit, tossing the shells aside.

But when it comes to economic prospects, oil is the pillow on which East Timor’s dreams ultimately rest. In the summer of 2001 a team of UN, Australian, and private sector experts determined that offshore oil and gas fields—which until independence were owned by Indonesia and Australia—belonged in fact to East Timor. Although most of the fields are not scheduled to commercially produce until 2003, it is expected that the industry will be a three hundred million dollar annual profit maker.

There is, however, no denying the dire poverty East Timor faces for the time being. According to statistics issued by the United Nations Development Program, more than half the population lives on less than one dollar a day, and two-thirds of the women are illiterate. The GDP per capita is \$230, less than that of Chad.

But an even bigger problem—and a sadder one in terms of its toll on families—is the

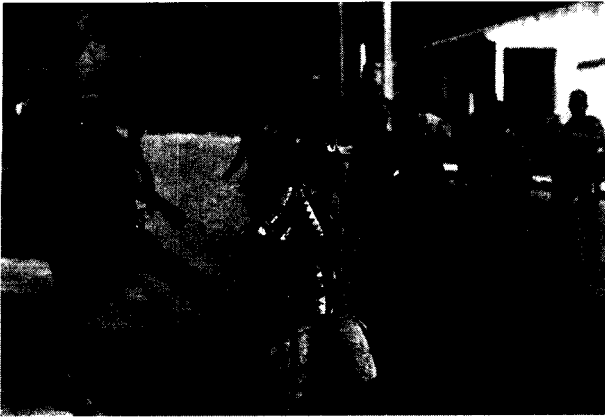
refugee crisis. More than two hundred thousand people were displaced in the three weeks that followed the referendum. The UN has not only had to deal with this crisis but do so with very limited access to and no control over the refugee camps in West Timor. In August 2001, nearly sixty thousand people, or 30 percent of those who initially fled East Timor, were still living in the camps.

Initially the United Nations High Commissioner for Refugees (UNHCR) managed the camps throughout the Indonesian half of the island. But in September 2000, three UN workers were killed in Atambua, a border town in West Timor, and since then West Timor has been declared off-limits for UN staff. UN personnel are not allowed into West Timor without advance security clearance, and then, only for a limited time span. The camps are run by Satuan Tugan (SATGAS), the Indonesian task force assigned to address refugee issues.

UNCHR representatives meet regularly with SATGAS staff to get updates on the status of the people in the camps. There are frequent reports from returning refugees that the East Timorese in the SATGAS-run camps are harassed and intimidated. Indonesia denies this. But, according to the UN, nearly 70 percent of the remaining refugee population is being held hostage as “human shields” by the militia, who are active in the camps.

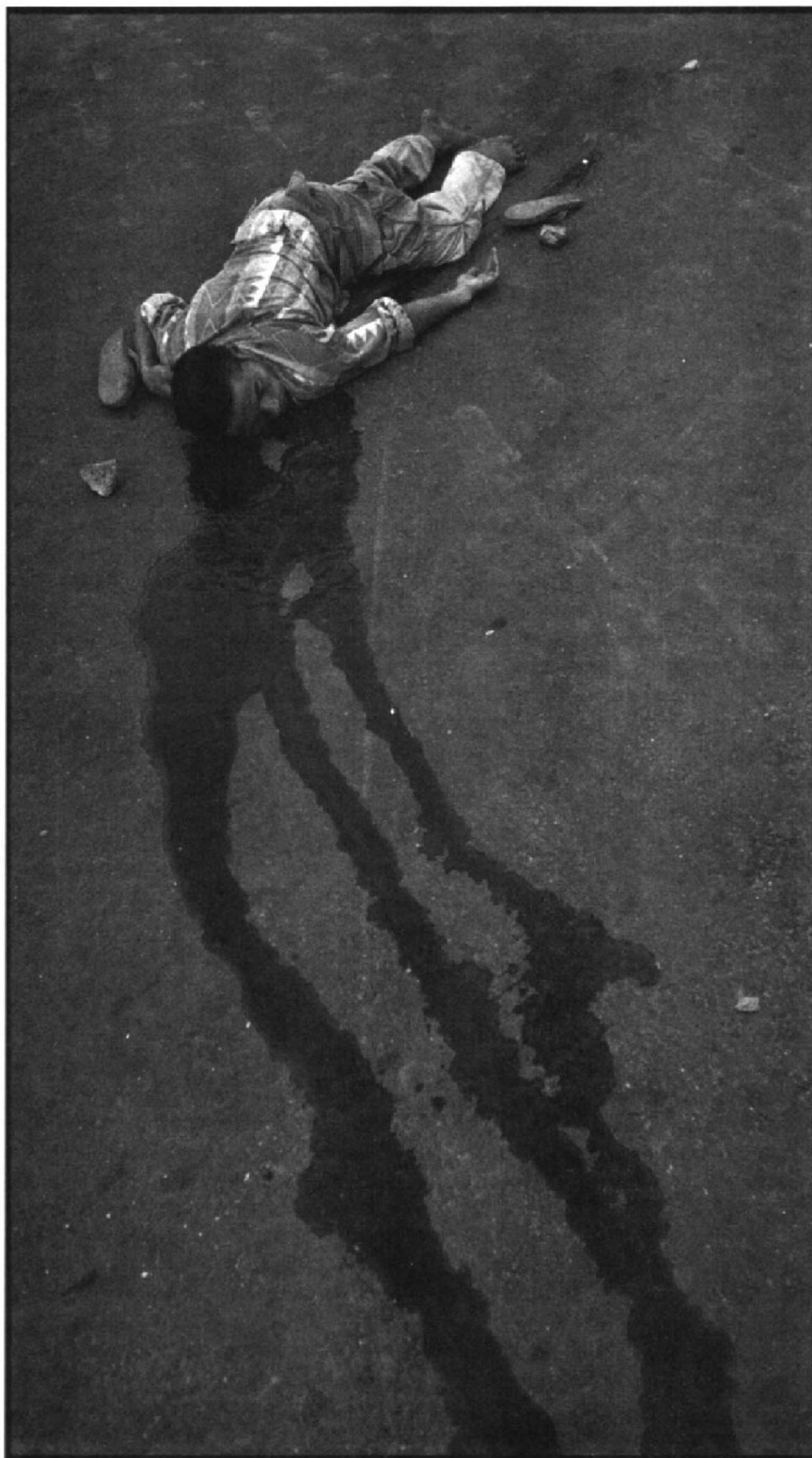
Muhammed Hussein, who works with UNHCR in Maliana, said that many of the returning refugees have been hesitant to come back because they have heard that there may be more violence in East Timor. Some people have reported that they were told by the Indonesians that they would be beaten by their neighbors if they returned. They were told there is terrible poverty and little chance of getting work. They were also told they might be killed either leaving East Timor or coming into Indonesia.

The militia and Indonesians who intimidate the refugees have plenty of motive for doing so. As long as the refugees are in the camps, the militia and members of the Indonesian Army who carried out the massacre have bargaining chips to negotiate lesser charges and more lenient sentences. Nobody talks about this on the record, least of all the Indonesians,



Bernardino Guterres runs, barefoot and carrying two stones (which he was using to defend himself from the militia—not the police) and his plastic flip flops, while the Indonesian police chase him. Guterres has a pin on his cap with an image of his hero, East Timorese leader Xanana Gusmão. These are the first recorded photographs of Indonesian police killing an East Timorese, taken four days before East Timor's vote for independence from Indonesia. Photographs: John Stanmeyer/VII





who still insist that the massacre and burning of East Timor were carried out by independent militia groups with no official support from the Indonesian military.

TWO DAYS after I arrived in Dili, I was invited to join officials from the International Organization for Migration (IOM) and UNHCR on a trip to pick up a group of about five hundred people who were ready to return to East Timor. I was told that some may have been pro-Indonesian, pro-autonomy supporters. Some, perhaps, were low-level militia. Most would be women and children, though, coming back on their own while the men waited in camps for reports back on whether or not it was safe to return.

The *Patricia Anne Hutong*, an old Australian survey ship rented out to the IOM, sailed all night from Dili to Kupang, the West Timor port on the opposite end of the island. The ship arrived as dawn broke, with a team of transport specialists, field officers, doctors, and translators.

The sun glared down on the vast parking lot at the heart of the Fatuloli registration center outside of Kupang, where the refugees gathered to officially register for return. Fatuloli is a former exhibition center. It boasted a giant Suharto billboard showing the ousted president smiling coolly, his black *bhaji* hat carefully perched atop his head. In the course of the day, the parking lot filled with dozens of buses and trucks, dumptrucks, and flatbeds stacked precariously high with plastic chairs, mattresses, bicycles, sacks of rice, and batik-covered bundles of clothing. People scrambled off their transports and then watched and shouted out as their goods were tossed off the backs of the trucks.

In the registration center, their names were checked against the list of people pre-registered with SATGAS. They were asked by East Timorese UNHCR officers speaking in Tetum, the national language, if they expected any difficulties upon arrival in East Timor. They were reminded that UNHCR was there to help them, not prosecute them. If they had any fears, if they were former militia who might face retribution back home, they were urged to be up-front. They were told they would be looked out for.

After the registration room, the people moved on to sit momentarily with Dr. Domingos Da Silva, who did a quick oral medical check-up. Once they were cleared for travel by the doctor, they were handed small cups of fresh water and lunches of *nasi goring*, a popular rice dish, wrapped in paper.

As soon as they had run the registration gamut, the refugees milled about the parking lot center, talking and laughing with the family members they would soon leave behind. Later, at the docks, as they boarded the boat, there would be tearful good-byes. In the parking lot, though, the mood was light.

A man played with his toddler son while his wife, who would be going with the child onto the boat, watched quietly. The man was dressed in jeans and a camouflage T-shirt that read "SNIPER—If You Run You'll Only Die Tired." A teenage boy named Hipolito stood away from the crowd. He said he came often to the registration center. He said that in the camp he heard that it is still dangerous to go back to East Timor, that if he were to return after having spent almost two years in West Timor people would suspect that he was with the militia and he would be beaten, perhaps killed. He would like to go back, he said, but he was waiting until it was safe.

A group of men gathered outside of the registration center. They took note of who came out. Young men who had just registered to return shuffled away from the group, heads down. UNHCR officials say that militia frequently show up to keep tabs on who's going back. The men I saw observing the departures sneered when I asked if they spoke English or Portuguese. The Indonesian police insisted all was well. The young men were there as well-wishers, they told me.

IOM officials knew before the ship left Dili that the five hundred refugees they expected might not all show up. Many of the people still maintaining refugee status in West Timor worked with the Indonesians in one way or another. Now, for them, it is a question not only of returning to a land where they may be perceived as collaborators, but also, a matter of money. Many are owed pensions for years of service to Indonesia as policemen, drivers, postal employees, or military personnel. Indo-

nesia, though, is not paying up, and IOM got word that unless the pensions came through, most of the people wouldn't be returning. This turned out to be the case. In total, only 179 people—and their thousands of kilos of belongings—came aboard the *Patricia Anne*.

"In the beginning, when it was more like forty thousand people returning by land and sea each month, the boat was packed," said David John who has been in East Timor with IOM since October 1999. "People ran from their homes, or were forced from their homes, across the border with very little. When the time came and it was safe, people just wanted to get back. These days it's packed with fewer people but with a lot more possessions. At this point they've been away for two years, they've accumulated things. A couple of trips ago, we hauled back an entire restaurant."

The only possessions not allowed on the *Patricia Anne* are cars, cows, and water buffalo. Goats and chicken abound, as do bicycles and furniture, bird cages, and rolls of sheet metal, wicker baskets and plastic tarps, refrigerators and bathtubs, swayback pigs and bony, ragged dogs. Piles of belongings overflowed on the boat's main deck into the cabins and halls below deck. "It's hard to justify running a boat that costs sixty thousand dollars a month to rent and six thousand dollars a day to do these runs, when you've got so few people," said one senior IOM official. "We'd be better off paying for them to return in another manner and concentrating our efforts on other issues."

ON AUGUST 30, 2001, two years to the date of the last vote, the people again went to the polls. Issues of trade, economics, language, land, law, and governance were all on the table when East Timor held a vote to elect a Constitutional Assembly. Many expected violence, and in the weeks leading up to election day, peacekeeping troops stationed throughout East Timor admitted that they were heightening their patrols, setting up roadblocks, and keeping a close eye on all movement back and forth across the border.

There were rumors that 1999 would be repeated and speculation that everything would again go up in flames. In traditional militia strongholds like Samé, a village in the moun-

tainous western region, one man wore a T-shirt saying "Autonomy Yes," referring to 1999's pro-autonomous movement that advocated allegiance to Indonesia.

In the end, nobody was killed, nothing was burned, and a Constitutional Assembly was peacefully elected. The Assembly had three months to draw up a Constitution that would be East Timor's blueprint for the future. Representatives of Fretilin, the political party born in the mountains out of rebellion against colonial rule, won fifty-five seats of the Assembly, the most for any party. In the weeks before the election, parades of trucks, cars, buses, and dump trucks filled with men, women, and children whirled through towns, Fretilin flags flying, chants ringing out, and fists in the air. It was the most recognizable party, the one most associated with East Timor's fight for freedom. It was Fretilin's military arm, Falantil, that waged a guerrilla war first against the Portuguese then against the Indonesians. The former leader, Xanana Gusmão, who was jailed in Jakarta for nine years and who is regarded as a political prisoner as noble as Nelson Mandela, even came out of retirement. Most observers expect that come April 2002, Gusmão will be the president of fully independent East Timor.

But the greatest challenge facing Gusmão or whoever wins the presidency of East Timor will be figuring out how to deal with those who have committed crimes—often heinous ones—against their neighbors. It is an issue on which the UN's mission in East Timor will inevitably be judged, and, in the summer of 2001, things were not going well.

At the village level, in local councils, conditions for return and punishment are meted out for people who did not commit crimes against humanity but who did support, in some way, the destruction wreaked by the militia. East Timor's Truth and Reconciliation Commission, a controversial but popular initiative, has attempted to merge international concepts of justice with local traditions and punitive practices, but it is reserved for smaller crimes, putting the power into the hands of the community, and often into the hands of the very people who were left without homes or family.

The cases most often decided are those of low-level militia, frequently men forced to join

the militia under threat, who helped to burn and ransack towns once communities had fled. The punishment, for example, for one man who burned down a house was to rebuild that family's home plus help to build a school in town.

There are, of course, instances in which a man returns, is taken to meet with the village council, sent home, and later that day beaten. Retribution, whether through violence, shunning, or seizing land and livestock, is—despite the UN's best efforts—common. There have been few cases, though, of people who returned and then faced danger so great that they wanted to leave. Most of the men, said one UN source, know they are in for a beating when they return and accept it.

Still, the accused—the ones looking for reconciliation in the communities that they in some way helped destroy—have to answer to the thousands of women and children who have been widowed and orphaned. “They can go ahead and negotiate the return of the men who stood and watched as others killed my husband and burned my house,” said Rosarina Munis. “If they ask me, I say just let me put my hands on them. I lost two children and my husband. I understand the process of reconciliation. I don't know if I can accept it. I ask though that I be given the chance to hit these men. I want to hit them with my own hands. To feel that, I want to use my hands.”

WHEREAS IN villages throughout the land the truth commission is helping to mete out ad-hoc punishments, a much bigger issue of justice is stalled in Dili and Jakarta, where the UN plays a much bigger role. There, justice for the hundreds of people charged with crimes against humanity is coming about at a much slower pace, if at all, and raising enormous doubts among those who believe true independence can only be realized when the men who organized and led the killings in 1999 are punished.

“On September 8, at night, after they killed my husband,” said Filomena Ferreira da Silva, “after they killed many and hauled the bodies away, Ernesto Metan [a known militia member] came in and said, ‘Now the law is in Indonesia, not East Timor. Now go report to your

beloved Xanana, report to your UN, report to Bishop Belo. Call your Xanana. Tell him he can be president for dirt and stones. That is all that will be left in East Timor.’ I want them to know they were wrong. The law is here. They will have to answer for what they did. There must be justice. After what happened in 1999, there cannot be independence without justice.”

“Serious crimes” have been defined by the UN as those crimes against humanity committed between January 1999 and October 25, 1999. The Serious Crimes Unit of the Office of the Prosecutor General was established to oversee the investigation and prosecution of these crimes. The unit has come under fire for being severely understaffed and for not providing the sort of training, facilities, and technical expertise that ensures that the cases that do make it to trial are fair and need not be retried at a later date.

A scathing Amnesty International report called “East Timor: Justice Past, Present and Future” was issued in August 2001. The report said that “the necessary measures have not been taken with the result that law and order is now barely being maintained, justice is not being administered effectively and the human rights of the East Timorese people cannot be guaranteed. The judicial system is only partially established and what does exist is fragile. Members of the fledgling judiciary lack the necessary training and support and are vulnerable to political pressure, including through threats and intimidation. . . . In addition, the laws that are being applied in East Timor are not always consistent with international human rights standards.”

“We’ve had to learn to deal with what we have here,” said Oyvind Olsen, chief of the Special Crimes Investigation Unit, who formerly worked for the International Tribunal in Rwanda. “We planned on having forty investigators. We have sixteen. In Rwanda and Yugoslavia, they have fifty people investigating each crime. It takes years to get to trial. Our critics say we are taking too much time, but we cannot be directed by public demand. I am happy with the way things are going in that they are going.”

Others say that there must be more than a laissez-faire approach to justice if UNTAET is

to consider its mission here a success. "The Special Crimes Unit isn't looking at that period in 1999 for what it was—a systematic massacre," said Joaquim Fonseca of Yayasan Hak, the East Timorese Foundation for Law Human Rights and Justice. "In the courtroom, there are very few questions asked about who planned, who orchestrated. At this rate and with this mediocrity, it is impossible to reach the high level officials. The people heading the unit worked in Rwanda and Yugoslavia, but they don't understand East Timor. They don't understand that we're a small country. Everyone knew who did what. I don't think that community knowledge is being used."

In Maliana, Filomena Feirera da Silva calmly lists the names of the men who came to her house, the men who threatened her husband in prison, the men who watched as he was killed, the men and women who burned the houses around Maliana. She says she has given all this information to the investigators. She says nothing has come of it. She says she doesn't have faith that justice will come from the current proceedings. There must be justice, she says, but this is not it.

Many are waiting for Indonesia to make good on its promise to prosecute the perpetrators of crimes against humanity living and working there. But to date it has done nothing. Reports from journalists and UNHCR officials working around the ports of West Timor and in Jakarta are that men with indictments against them in East Timor's Serious Crimes Court walk about freely. Eurricio Guterres, the man who ran the militia in East Timor, is rumored to be living well in Jakarta.

"We are having a difficult time in Indonesia," Chalief Akbar, Head of Political Affairs for the Indonesian Mission in East Timor, has acknowledged. "In Indonesia, human rights

[violations] are not punishable under our Constitution. We have to develop the legal framework and train judges to prosecute what have been deemed 'crimes against humanity.' It could take years."

A senior UN official, willing to speak only on condition of anonymity, said he has very little faith that Indonesia will follow through on its promise to bring the Indonesian and East Timorese accused to trial. "Indonesia backed the militia, supplied them with guns, trained them, prepared a systematic strategy for leaving East Timor burned to the ground," he said. "This goes right up to the top." Indonesia, he pointed out, "is not going to commit hari-kari here. The only other way to get these criminals is for the United Nations Security Council to call for an International Tribunal. As with Russia's Chechnya and China's Tibet, I'm skeptical."

I SAW EVEN greater reason for skepticism just off a dirty, Dili road, where East Timor's first trial for crimes against humanity was taking place. Everyone who entered the courtroom did so as I did, in a whirl of dust that settled thickly on the chairs and desks. Only a handful of spectators even bothered coming to the trial, although it was open to the public.

Few sensations are as unsettling as sitting inches behind a murderer. Joni Marques, the leader of a Los Palos-based militia group called Team Alfa, had already confessed his guilt to charges of crimes against humanity. I studied his back as he listened to a witness described the moments before the witness's friend was killed. Marques and the nine men sitting with him, the other men from Team Alfa, were being tried together for the crimes they committed between April 21 and September 27, 1999. The crimes included murder and torture as

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crimes against humanity and the forced deportation and persecution of population.

They were charged with killing thirteen people, including nine clergy who were traveling outside of Los Palos. A nun who climbed out of the bus after it had been shot up with twenty-one bullets was killed as she knelt in prayer.

The ten men faced the three judges. They wore dirty jeans and T-shirts and sat on black, metal-framed, vinyl-backed chairs. The court was not air-conditioned, and in the afternoons, the fans did little to break the dry, tropical heat. The trial was conducted in English. The judges—an East Timorese, a Brazilian, and a Burundian—spoke in English to the witnesses and defendants, then waited as their questions were translated into Tetum. Responses were given then translated back into English. The public defenders spoke a combination of English, Portuguese, Tetum, and Bahasa Indonesia. Everyone in the courtroom wore earphones for simultaneous translation. Everyone, that is, except the defendants, who by and large left

the earphones dangling around their necks and nudged one another smiling, gesturing back and forth, or simply staring out the windows.

The justice that everyone calls for throughout East Timor was being played out, and it was impossible to feel good about it. A public defender stood and made a speech about Falantil's cold-blooded killers and his client's need to protect himself. The judge reminded the public defender that to rise and raise an objection required him to object to something. He sat down. His client, with the earphones off, missed the entire exchange.

On the day the trial was originally set to end, the court was hearing the testimony of only the third of the scheduled seventy-three witnesses. Virtually every morning began with lawyers having to hammer out exactly how the evidence and testimony introduced was to be handled. It was clear that few, if any, of the people on the witness stand or in the defendants' chairs had ever been in a courtroom before. Witnesses and defendants were unsure where to stand, whom to address, and what

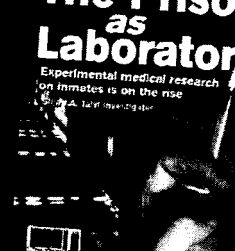
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"testimony" meant. For the first witness called by the prosecution to testify about the killing of Evaristo Lopes, the translation was such that more often than not, the witness had to ask for the question to be repeated. Often, by the time the answer was given, it was clear that the question or the answer, or both, had been mistranslated.

"Things are going much slower than planned, and to be honest, I think that a lot of the problems we're seeing here are teething problems," said Stuart Alford, the prosecutor. "In terms of a legal system, the skeleton is there but the meat isn't. Because this is the first big trial, we're laying the precedents to be used later. But every little step is a battle, and frankly we're using the only Serious Crimes Court in the country to discuss how evidence will be handled once admitted. This is stuff traditionally laid out well before. We discussed postponing the trial, but the defendants had already been sitting in custody for two years."

In the afternoon session I attended at the Serious Crimes Court, Moses Lopes testified against Joni Marques and several other members of Team Alfa for the murder of Evaristo Lopes, his close friend, on April 21, 1999. Moses was in the car when Team Alfa stopped it and ordered him, Evaristo, and two other friends out. He listened as Team Alfa decided whom to target. Moses said they went after Evaristo because of his long hair, a style associated with Fretilin supporters. He watched for a few minutes as the men beat Evaristo with an iron bar. It was dark, and he could not always see who was wielding the bar. He was told that if he tried to help, he would be killed. He felt powerless and afraid. He said one man told the members of Team Alfa to take Evaristo

up to the compound for a "haircut."

Evaristo Lopes's body was found soon after in a paddy field. His throat had been cut, his hands and legs tied, his body beaten. His hair was unevenly cut.

For Moses, testifying was exhausting. He did not, he told the judges, realize he would have to stand all day. Later, as the session was about to end, he asked if he could be heard again. He wanted the judges to know that he was being threatened back in Los Palos. There he was seen as a traitor. He wanted to join the local police force, but the families of the defendants were making that hard for him. He asked the judges if they could write a letter on his behalf. As the session ended, the prosecutor promised to look into his allegations.

It was not an answer that sounded very convincing to me, and I could not help thinking how slight the rewards for his testimony against men accused of brutal murders had been. Moses said he was worried about going home, he was worried East Timor might be forgotten, and that somehow the fighting would come again. He said he was scared. Leaving the back road court house that day, leaving behind the frustrated judges, ambivalent defendants, and tentative witnesses, it seemed to me that justice, if it comes at all, will come fitfully to the people of East Timor. ●

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Intervention and State Failure

Michael Ignatieff

AS WE BEGIN a new century, what is most striking about the human rights challenges we face is how different they are from those of the cold war era. Whereas the abuses of the cold war period came from strong tyrannical states, the ones in the post-cold war world chiefly originate in weak or collapsing states. We have not come to terms with this changed situation. Our current debate about humanitarian intervention continues to construe intervening as an act of conscience, when in fact, since the 1990s began, intervening has also become an urgent state interest: to rebuild failed states so that they cease to be national security threats.

To understand how the human rights situation has changed, we need to go back to the end of the Second World War. From 1945 until the end of the cold war, human rights remained subordinate to state sovereignty within the framework of the United Nations Charter. Articles 2.1 and 2.7 of the charter define sovereignty in terms of inviolability and non-interference. The prohibition on internal interference is peremptory, while the language that urges states to promote human rights is permissive. States are encouraged to promote human rights, not commanded to do so.

The UN Charter's bias against intervention reflects the chapter of European history the drafting powers believed they had been lucky to escape. Even in death and defeat, Adolf Hitler remained the ghost at the drafters' feast. Yet it was Hitler the warmonger, not Hitler the architect of European extermination, who pre-

occupied the drafters. For them, aggressive war across national frontiers was a more salient risk than the extermination of peoples within states. This fact illuminates the degree to which both the Holocaust and the Red Terror existed in suspended animation during the cold war. They were not the all-defining crimes they were to become in the modern moral imagination of the 1970s.

The central problem of the cold war world, from the Western point of view, was to consolidate state order and guarantee that these new states remained in the Western camp. Accordingly, the human rights performance of states mattered much less to the West than their allegiance to the Western camp. Human rights was also given a subordinate place in the UN system. UN bodies, such as the Human Rights Commission, for example, had no power to investigate member states, and after the successful passage of the Universal Declaration of the Rights of Man in 1948, no formal human rights conventions were ratified until the 1970s.

The marginal place of human rights in the institutional order of the cold war also related to the ambiguous light that human rights standards cast on the behavior of superpowers. Universal commitments, even if only rhetorical, can be embarrassing. The Americans had Jim Crow to hide. The Russians' dirty secret was the Gulag. When the Americans and the Russians used the universalistic creed to lecture developing nations, they discovered how easily their own language could be turned against them. Newly emerging nations in Africa and Asia proved adept at using the vocabulary of self-determination to ward off or ignore external scrutiny of their domestic rights records.

What broke this conspiracy of state silence was the emergence of mass-based human rights groups, beginning with Amnesty Inter-

Opposite: A Bosnian woman screams at a UN soldier at a refugee camp. More than 7,000 Bosnians were executed as the UN safe haven was overrun by Serb forces. Photograph by Ron Haviv/VII

national in 1961. These organizations transformed human rights into the most powerful critique of the non-interference rule in post-war state relations.

The simultaneous historical rediscovery of the Red Terror and the Holocaust in the 1970s proved important here. The rediscovered memory of these terrible events focused the moral imagination of activists, intellectuals, and foreign policy specialists on sovereignty as an instrument and an alibi for extermination.

ANOTHER FACTOR in the renaissance of human rights in the 1970s was the weakening of the Soviet empire. Until 1968, it was able to counter demands for freedom by sending in the tanks. By the mid-1970s, it became dependent for its survival on Western trade and investment. The Helsinki Final Act of 1975, adopted at the Conference on Security and Co-operation in Europe, institutionalized the process by which foreign assistance to an ailing empire was made conditional on human rights concessions. Helsinki marked the moment in which the rulers of the Soviet empire conceded that there were not two human rights languages—one socialist, one capitalist—but one to which all nations, at least in theory, were obliged to conform.

By conceding the right of their own citizens to form human rights organizations—a feature of the Helsinki Act—the Soviets set in train the process that led first to Charter 77 in Prague, Solidarity in Poland, and Memorial in the Soviet Union. The gathering wave of underground civic activism sapped the self-confidence of the Gorbachev-era elite and slowly but surely undermined the empire from within. Andrei Sakharov, Lech Walesa, and Vaclav Havel drew legitimacy away from the regime to the human rights movement, and in doing so, dug the grave of the empire.

With the collapse of the Soviet Union in 1991, human rights ceased to be subordinate to sovereignty. The new nations that emerged after the dissolution of the Soviet empire wrote rights guarantees into their new constitutions and accepted human rights oversight from Western governments as the price of rejoining Europe and the West. As the cold war order disintegrated, human rights became the con-

dition of entry to the emerging security architecture of NATO and the European Union. Turkey, for example, discovered that it could not hope to gain entry to the EU unless it abolished the death penalty. Peace, combined with the emergence of the EU, diluted the exercise of Westphalian sovereignty in the continent that had been its home. With peace at home, European powers found a new overseas role for themselves promoting human rights abroad. Western aid agencies, international banks, and UN organizations increasingly “mainstreamed” human rights in their aid and lending packages for developing nations. These nations, some of which had depended entirely on Soviet support, now felt obliged to comply.

As this summary suggests, the ascendancy of human rights in the post-cold war world has complex causes. Those who see its rise as the simple story of progress, of an idea whose time finally came, are missing the key political dimensions: the weakness and collapse of the Soviet Union, the emerging salience of governance—and therefore of human rights—as development issues in the states of Africa and Asia, and finally, the pacification of Europe and its search for a new legitimizing ideology. A final feature was the coming to power of the sixties generation, nurtured in anti-Vietnam War politics, disillusioned with socialism and Marxism, awakening to the moral reality of the Holocaust and the Red Terror, and discovering in human rights a redemptive cause.

Yet, for all this change, states do not accept that their legitimacy—internal or external—is conditional on their human rights performance. The greatest champion of human rights overseas, the United States, is simultaneously an uncompromising defender of a unilateralist definition of its own sovereignty. American leaders of all political stripes regard foreign criticism of its domestic human rights norms—the persistence of capital punishment, for example—as either irrelevant or impudent.

At this point, we are in a halfway house, no longer in the world of 1945, where sovereignty was clearly privileged over human rights, and yet nowhere near the world desired by human rights activists, in which sovereignty is conditional on being good international citizens. We are somewhere in between, negoti-

ating the conflicts between state sovereignty and international human rights as they arise, case by case.

For all their new prestige and power, human rights concerns have not essentially changed the international law governing recognition between states. In the customary practice that governs recognition of new regimes, legitimacy continues to be defined by whether a particular regime has effective control over a given territory. All states have an interest in ensuring that territories remain under the effective control of a government, regardless of its human rights record. Indeed, some states perceive that the promotion of democracy and human rights, especially in fragile, newly emerging states with complex mixtures of minorities and religions, may actually promote secession, fragmenting the international state system still further. This preference for order has been reinforced by the disintegration of multi-ethnic states like the former Yugoslavia. When democracy came to the Balkans, it came in the form of demands for self-determination on ethnic lines, with catastrophic consequences for the state order left behind by Marshal Tito. Wherever democracy means self-determination for the ethnic majority, state formation all too often means "ethnic cleansing" and massacre for the minority.

MENTION OF Yugoslavia brings into focus the chief reason why the conflict between sovereignty and human rights came into the open in the 1990s: the process of state fragmentation convulsed the international system. Triumphant apologists for globalization are usually also prophets of an age beyond sovereignty. These fantasies can be indulged in Europe or in the North American free trade area, but they ring especially hollow in Africa and Asia. There effective sovereignty—defined as a monopoly over the means of violence and as the capacity to deliver basic needs to a population—is the precondition for any kind of successful entry into the world economy. It is also the precondition for any kind of human rights observance.

Calling the international order of the post-cold-war era a "system" obscures the reality that it has broken down altogether in the poorer

parts of the world. States that are fighting losing battles against insurgents, states where civil wars have become endemic, or where state authority has broken down altogether, radiate instability around them. Failing states are more than problems for themselves. They create what Myron Weiner memorably called "bad neighborhoods." These bad neighborhoods include

Latin America: Colombia, Ecuador, and Peru

South Balkans: Macedonia, Montenegro, and Kosovo

South Caucasus: Georgia, Ossetia, Azerbaijan, Nagorno, and Karabakh

West Africa: Liberia and Sierra Leone

Central Africa: Congo

Southern Africa: Angola

East Africa: Sudan and Somalia

South Asia: Sri Lanka

Central Asia: Pakistan, Afghanistan, Uzbekistan, and Tajikistan

Some of these—Colombia and Sri Lanka—are capable states that are fighting a losing battle against insurgents and terror. Others—Congo, Angola, and Sudan—are resource-rich states whose elites are incapable or unwilling to use resource revenue to develop their countries and end civil wars. Still others—Afghanistan, Somalia, and Sierra Leone—are weak states, with poor resource endowments, and have proved incapable of providing effective governance at all. What all of these have in common, though, is an inability to maintain a monopoly of the internal means of violence. Violence is eating away these societies from within. It would be impossible to assemble all the reasons why this convulsion is underway, but it represents a widening tear in the system of state order, analogous to the tear in the global ozone layer. Historically, this episode of state fragmentation recalls at least four previous periods:

- 1919: The dismantling of the European empires after Versailles
- 1945: The creation of the so-called people's democracies in Eastern Europe
- 1947-1960: The decolonization of Africa and Asia
- 1989-1991: The independence of former Soviet satellites

In these four periods, the dominant process was state formation and the dismantling of defeated empires. In the fifth and current wave, processes of disintegration predominate. In part, these processes represent an attempt to correct the failure of the previous episodes of state formation. Yugoslavia, for example, figures in three of these four previous episodes of state formation. It was a Versailles state after 1919. It re-emerged as a people's democracy after 1945. In the wake of 1991, it was a satellite of the Soviet system whose component parts set out to create a nation on the basis of popular sovereignty. Each time, these efforts failed. Once democracy returned, each dominant ethnic majority set itself the task of abolishing both the Versailles and the Titoist versions of the federal state. Doing so led them to expel, terrorize, and massacre their minorities. This process is still not completed.

Many of the disintegrative state conflicts in Africa—Congo and Angola, for example—represent the continuing struggle of competing tribal and regional groups to consolidate state authority on the ruins of colonial regimes. Scholars remain divided as to whether state failure is to be blamed on the colonial legacy or on what successor regimes did with that legacy. The Portuguese left behind a weak colonial inheritance, but the Angolan civil war has destroyed what was left of it. In Congo, Belgium left behind little that independent regimes could build upon. In Sierra Leone, however, it could be argued that the British left a decent colonial inheritance, which was then squandered by successor elites. What these examples have in common is state failure, although the extent of the failure differs in each case. Sometimes the state is struggling; sometimes disintegrating; in a few cases—Somalia, for instance—it has collapsed altogether. Sometimes the cause is the colonial legacy; sometimes it is maladministration by an indigenous elite; sometimes, failure is a legacy first of interference by outside powers, and then abandonment. Afghanistan has been devastated both by interference—first by the Soviets, then by the Americans—and then by neglect—the American withdrawal and strategic disinterest after the defeat of the Soviets. Finally, and most important, many failed or fail-

ing states are poor and have suffered from the steadily more adverse terms of trade in a globalized economy. An adverse situation is then made worse by corruption, bad planning choices, or ideological dogma. As the developed world has accelerated into the fourth industrial revolution of computers and information technology, sub-Saharan Africa, for example, remains stuck at the bottom of the international division of labor as primary producers.

GIVEN THE unrelenting pressure of poverty—made worse by mismanagement—it is unsurprising that state institutions begin to break down. As the tax revenue base shrinks, ruling elites lose their capacity to buy off or conciliate marginal regions or minorities. When these minorities pass from disobedience to rebellion, the elites lack the resources to quell revolts. As these revolts spread, the central government loses the monopoly of the means of violence. Where state order disintegrates, basic economic infrastructure also begins to collapse and a new economic order begins to take root. Armed ethnic groups, bandits, and guerilla forces take over, using violence to secure the forced allegiance of the local population and to extract the remaining surplus. As the weakening government struggles to regain control, it engages in more and more egregious attempts to terrorize the population into obedience, and rebel groups use more and more drastic forms of counter-terror to demoralize government forces. This process of fission may then spread beyond the borders of the state itself, as refugee populations flee across the border, and as insurgent groups use frontier zones for their base camps. A collapsing state thus has the capacity to metastasize and to spread its problems through the region. These poor neighborhoods present a cluster of human rights catastrophes: forced population displacement, ethnic or religious massacre, genocide, endemic banditry, enslavement, and forced recruitment of child soldiers. All these proceed from the incapacity of a state to secure and maintain order.

This is a different profile of human rights abuse from the ones in the cold war. These were not caused by weak or collapsing states, but by strong, intolerant, and oppressive ones.

To be sure, the problem of tyranny remains: China, North Korea, Iraq, and Libya are strong states, not weak ones, and their human rights abuses fit into a more classical pattern: arrest of activists, detention without trial, extra-judicial murder, torture, and disappearances. The Rwandan genocide could not have occurred without the existence of a strong and effective administrative structure—the burgomaster system—left over from the colonial period. Yet even if some strong states remain a menace to their own people, the worst abuse now occurs not where there is too much state power, but too little. The human rights dilemmas of the twenty-first century derive more from anarchy than tyranny.

IF CHAOS RATHER than tyranny is the chief cause of human rights abuse, then activists will have to rethink their traditional suspicion of the state and of the exercise of sovereignty. In the Balkans, as well as west, central, and southwestern Africa, the chief prerequisite for the creation of a basic rights regime for ordinary people is the re-creation of a stable national state capable of giving orders and seeing them carried out throughout the territory, a state with a classic Weberian monopoly on the legitimate means of force. Without the basic institutions of a state, no basic human rights protection is possible. As long as populations are menaced by banditry, civil war, guerrilla campaigns, and counter-insurgency by beleaguered governments, they cannot be secure. In such conditions, international human rights and humanitarian organizations can do no more than bind up the wounded and protect the most vulnerable. These Hobbesian situations teach the message of the Leviathan itself: that consolidated state power is the very condition for any regime of rights whatever. In this sense, state sovereignty, instead of being the enemy of human rights, has to be seen as their basic precondition. Protecting human rights in zones where state order is embattled or had collapsed has to mean consolidating or re-creating a legitimate state. Nation building thus becomes, for the first time since the Allied occupation of Germany and Japan, a critical instrument for the creation of rights regimes. In Japan and Germany, however, total defeat and uncondi-

tional surrender gave the Allies the authority to create new democratic institutions from scratch, while the conditions for modern nation building in states recovering from civil war are much less auspicious.

If state fragmentation and collapse are the chief sources of human rights abuse, the debate over humanitarian intervention needs to be rethought. This debate conceives the challenge of intervention as a response to a series of essentially unrelated moral crises, in which differing populations of civilians in desperate need appeal to us for rescue. But the crises themselves are not unrelated, and they are not just humanitarian or moral in their claim on our attention. A crisis of order in a single state risks creating “bad neighborhoods” in a whole region. Pakistan, for example, has been “Talibanized” by nearby Afghanistan. These bad neighborhoods in turn present direct threats to the national interest of states. For bad neighborhoods harbor terrorists, produce drugs, and generate destabilizing refugee flows. Afghanistan is the best example of a failing state that was perceived as a distant humanitarian crisis, when it ought to have been seen as a clear and present national security threat.

As long as the chief motive for intervention is conscience alone, we can only expect sporadic action from a few responsible actors. Once it is realized that we are looking at a crisis in the international order, a tear in the ozone layer of global governance, states that would otherwise remain uninvolved might understand that their long-term interest in stability and order compel them to commit resources to the problem. Putting national interest criteria into the debate also helps with the problem of triage. There are many failed and failing states. The ones that will actually receive sustained international attention will be those that directly threaten the national interest and national security of powerful states.

The debate about humanitarian intervention strikes many people from poorer countries as a lurid exercise in emotional self-gratification—an attempt to demonstrate the power of conscience when the real tasks that rich Western nations need to address are much harder: helping states regain a monopoly over the means of violence, increasing the competence

of local institutions, conciliating ethnic conflict, and building up a functioning economy.

The way the academy divides up the debate also enfeebls it. The international lawyers who dominate the humanitarian intervention debate spend more time thinking about intervention criteria than how to rebuild failed states once intervention has occurred. The development strategists who do know something about how to set off self-sustaining paths to growth and institutional competence have no place in the debate. The human rights activists who document the increasingly catastrophic rights abuses in failing states often have no strategy other than denunciation and a perfectionist reluctance to use force to end these abuses. All of these divisions further fragment our capacity to craft strategies of intervention that actually succeed.

ANOTHER PROBLEM is the way humanitarian intervention is actually done. Most strategies of humanitarian rescue, particularly UN peacekeeping and conflict mediation, are premised on staying neutral in zones of conflict. In reality, as Bosnia cruelly showed, neutrality can become discreditable as well as counterproductive. Once the decision is taken to introduce humanitarian aid into a war zone, backed up with peacekeepers to aid in its delivery, the aid itself becomes a focus of combat, and its provision—even to unarmed combatants—becomes a way not to damp down the fighting but to keep it going. Neutral humanitarian assistance can have the perverse effect of sustaining the fighting it seeks to reduce.

All victims have some claim to mercy, assistance, and aid from those bystanders who can provide it. But if that is all that bystanders do, they may help to keep civil wars going, by sustaining the capacity of a civilian population to absorb still more punishment. Moreover, when neutralist mediators impose a cease-fire in an ongoing civil war, they invariably draw the line in such a way as to reward the side that has waged the conflict with the most aggression and the most success. That is why, when peacekeepers are deployed to enforce the cease-fire, they are usually viewed by the party that has lost most in the conflict as colluders

in aggression. Such cease-fires rarely hold.

Neutral humanitarianism, when viewed more cynically, is a kind of hedged bet, in which intervening parties salve their consciences while avoiding the difficult political commitments that might actually stop civil war. For the key dilemma in civil wars is which side to back. Unless one side is helped to win, and win quickly, nothing serious can be done to reduce the violence. The basic choice is whether external intervention should be aimed at preserving the existing state or at helping a self-determination claim succeed. In Bosnia, Western interveners thought they were intervening to keep warring parties apart. They failed to understand that a recognized member of the UN—Bosnia Herzegovina—was being torn apart by a self-determination claim, aided and abetted by outside powers, chiefly Serbia, but also Croatia. The crisis was seen as an internal affair, when in fact its chief determinants were illicit foreign subversion: the arming and training of insurgents and the provision of safe bases of operation in both Serbia and Croatia. The war within Bosnia was brought to an end only when foreign intervention was directed not at the internal combatants but at the chief external instigator, Serbia. It was only when outside interveners took sides and bombed Serbian installations, forcing the Serb government to exert pressure on its internal proxies, that the civil war stopped. In other words, the international community finally intervened to sustain the unity of a state and to *defeat* a self-determination claim by the Bosnian Serbs.

The case of Afghanistan illustrates the dilemmas of taking sides. Prior to September 11, the dilemma was this: if Western powers recognized the Taliban, they would help consolidate Taliban rule over the entire territory and thus help bring an end to a devastating civil war. Order would prevail, but it would be the despotism of rural Islam at its most obscurantist. In such a situation, Afghan women would pay the price of a Western preference for order over justice. If, on the other hand, Western support continued to reach the Taliban's opponents, the civil war would continue, and Afghanistan would continue to bleed to death.

Until September 11, Western powers placed a two-way bet, supporting the North-

ern Alliance just enough to keep it in business, while refusing to normalize relations with the Taliban. The United States allowed the Pakistani secret service to funnel support to the Taliban, while at the same time American officials denounced the regime for its treatment of women and the destruction of religious monuments. This double game has now come apart, and in the wake of September 11, it is apparent that it was bound to. Having washed its hands of Afghanistan after the Soviet departure, the United States spent the 1990s conceiving of Afghanistan as a humanitarian or human rights disaster zone, failing to notice that it was rapidly becoming a national security nightmare, a training ground for terror. Nothing enfeebled American policy more in the 1990s than the refusal to notice that untended human rights and humanitarian crises have a way of becoming national security threats. Afghanistan is the most dramatic example of this tendency. Now, finally, the United States and its allies will take sides, but once they defeat the Taliban, the same problem they have avoided—namely how to rebuild a nation state there—will recur.

TAKING SIDES is not the only dilemma. There is also the problem of triage. Given the fact that resources of will power, diplomatic skill, and economic aid are always finite, there have to be criteria to determine which conflicts to take on and which ones to ignore. Intervention occurs, in general, where states are too weak, too friendless, to resist. The Chinese occupation of Tibet goes unsanctioned. The Russians reduce Grozny to rubble with impunity. Yet the Serbs are bombed for seventy-eight days. These inconsistencies mean that intervention in the domestic affairs of states will never rest on unassailable grounds. Yet the fact that we cannot intervene everywhere is not a justification for not intervening where we can.

Nor is the experience of intervention as nation building entirely negative. The UN Mission in Cambodia managed to oversee peaceful elections and the creation of democratic rule in a country ravaged by genocide. NATO, the UN, and the EU have joined forces to put Bosnia into a transitional trusteeship. It is a

state in which internal peace and security are guaranteed by foreign troops. Resettling of refugees and rebuilding are both funded from the outside. The process is costly, but violence has not returned, and peace in Bosnia has hastened democratic transitions in Croatia and Serbia next door. Further south in Kosovo, another trusteeship experiment is underway. A former province of a state is being prepared for substantial autonomy and self-government. The UN administration has written the constitutional rules for a gradual handover of power to elected local elites, and there is even a chance that eventually the Serb minority will take their places at the table. Finally, in East Timor, a transitional UN administration is handing a new country over to its elected leaders. All of these experiences are fraught with difficulty, but all indicate that an inchoate practice of state building, under UN auspices, is emerging. The next obvious candidate for treatment is Afghanistan.

An intervention strategy that takes sides, that uses force, and that sticks around to rebuild is very different from one premised on neutrality, casualty-avoidance, and exit strategies. It is also based on different premises. These premises have been outlined recently in "The Responsibility to Protect," a report sponsored by the Canadian government and delivered to the UN secretary-general in December 2001. Building on ideas of good citizenship and human security, the commission has argued that all states have a responsibility to protect their citizens. In certain limited cases, where states are unwilling or unable to do that, and where the resulting human rights situation is catastrophic, other states have a responsibility to step in and provide the protection instead. The international responsibility to protect is a residual obligation that comes into play only when a domestic state proves incapable or unwilling to act and where the resulting situation is genuinely catastrophic.

The idea of a responsibility to protect also implies a responsibility to prevent and a responsibility to follow through. Action, especially of a coercive kind, lacks legitimacy unless every effort has been made to avert the catastrophe; once action is taken, its legitimacy depends on staying the course

until the situation is on the mend. Thus the responsibility to protect is intended to provide a rationale for constructive engagement by rich countries through an intervention continuum that begins with prevention and ends with sustained follow-up.

All of these exercises in nation building represent attempts to invent, for a postimperial, postcolonial era, a form of temporary rule that reproduces the best effects of empire (inward investment, pacification, and impartial administration), without reproducing the worst features (corruption, repression, confiscation of local capacity). Unlike the empires of the past, these UN administrations are designed to serve and enhance the ideal of self-determination rather than suppress it.

Taking responsibility without confiscating it is the balance international administrators have to strike. The trick in nation building is to force responsibility—for security, for co-existence—back to local elites. This is not easy. The spectacle of disgruntled locals, sitting in cafes, watching earnest young internationals speeding around to important meetings in Toyota Land Cruisers has been repeated in every nation-building experiment of the 1990s. The most successful transitional administrations are ones that try to do themselves out of a job. This is not always possible. The legacy of bitterness in places like Kosovo and Bosnia is so intense that international administration has to remain in place, simply in order to protect minorities from vengeance by the victorious yet previously victimized majority. Controlling the culture of vengeance usually takes longer than the time frame dictated by most modern exit strategies. Once Western forces intervene they are usually committed to rebuild or at least patrol post-conflict societies for a long period of time. It takes time to create responsible political dialogue in shattered communities, still longer to create shared institutions of police and justice, and longest of all to create the molecular social trust between warring communities necessary for economic development and community co-existence. The initiative for these developments has to come from the local people. Internationals can provide impartial administration, some inward investment, and some basic security protec-

tion, but the work has to be done by the political elites who inherit the intervention. Nation building takes time, and it is not an exercise in social work. Its ultimate purpose is to create the state order that is the precondition for any defensible system of human rights and to create the stability that turns bad neighborhoods into good ones.

THIS SURVEY OF what has happened to the interaction between sovereignty and human rights since 1945, and how the theory and practice of humanitarian intervention has developed in response to the epidemic of state failure since the end of the cold war, necessarily ends with skeptical conclusions. If we survey the interventions of the recent past, the story is decidedly mixed. In Bosnia, intervention prevented the full realization of Serbian war aims, but it did not prevent the deaths of more than three hundred thousand people and the expulsion of nearly a million from their homes. In Kosovo, intervention put a stop to a civil war that, had intervention not occurred, might still be claiming lives. In East Timor, intervention delivered self-determination to the people, but not before more than a thousand people were massacred for seeking their rights. In Iraq, Kurds remain under the protection of Allied air power, but they do not have the resources to become genuinely self-governing. In places like Cambodia and Haiti, democracy has been restored, but power remains in the hands of corrupt elites. In other places, such as Angola, where the UN intervened with high hopes of moving the society out of a civil war, it has now withdrawn altogether. In still other places, ranging from Chechnya to Tibet, no intervention took place, and the failure showed that universal principles still lack consistent enforcement. Worst of all, eight hundred thousand dead Rwandans remain testimony to our incapacity—even when no insurmountable obstacle exists, either in state sovereignty or Security Council veto—to do the right thing. The most that can be said about the emerging practice of intervention is that at its best it prevents the worst from happening; at its worst, it compromises and betrays the very values it purports to defend.

Yet through it all, an inchoate practice of

nation building—in Kosovo, Bosnia, East Timor, and Cambodia—is showing that state order can be successfully rebuilt if wealthy and powerful states are prepared to invest the time and money. More generally, this survey seems to demonstrate something important about legitimacy itself. Intervening to defend human rights will never have anything more than conditional legitimacy, even when the cause is just and the authority right. We all aspire to perfect legitimacy. We want to live in a world in which we do the right thing, and know we are doing the right thing, and believe that the whole world will accept that we have done the right thing. There is no such possibility. Indeed, it is a dangerous utopia. Moral perfectionism

is always the enemy of the possible and the practical. Doing the right thing appears to require the tenacity to do it when half the world thinks you are wrong. ●

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Serbian Tiger leader Zeljko Raznatovic, or Arkan, poses with his paramilitary unit and a baby tiger he liberated from a Croatian zoo. Arkan's Tigers were responsible for a large part of the ethnic cleansing that occurred at the beginning of the war in Bosnia: Photograph by Ron Haviv/VII

War Crimes Trials, Now and Then

"What is there to 'admit'?"

—Adolf Eichmann, pretrial testimony

Susie Linfield

REBECA WEST thought they were boring. Karl Jaspers hoped they might lead the Germans to salvation. Janet Flanner regarded them as an island of sanity in a sea of moral wreckage.

In 1946, the Nuremberg trials were a puzzle. They represented a strange new breed of justice—an attempt to fit, if not squeeze, incomprehensible atrocities and a new kind of crime into the more-or-less traditional canon of Western law. Today, as the so-called “human rights culture” continues to develop—or at least to be debated, if not exactly triumph—the Nuremberg trials are the source of renewed interest (and sometimes puzzlement still). With Slobodan Milosevic at The Hague, hundreds of alleged *génocidaires* on trial in Arusha and Kigali, and an International Criminal Court

(ICC) tentatively on the agenda, the Nuremberg trials are being re-viewed—in a slew of books, plays, and even television films—with an interest sometimes verging on the urgent.

The Nuremberg trials are a good example of how an event becomes an experience, of how a thing becomes a process, of how it lives on in our consciousness and our political culture, returned to again and again. In 1947, Karl Jaspers recognized that the real meaning and the real worth of the trials would be determined when they were over—would be determined, that is, by how the world subsequently understood and used them. “The es-

sentential point,” he wrote in *The Question of German Guilt*, “is whether the Nuremberg trial comes to be a link in a chain of meaningful, constructive political acts (however often these may be frustrated by error, unreason, heartlessness and hate).”

The Nuremberg trials are also an example

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of how an ever-evolving experience is different from a finite event—indeed, of how the event and the experience sometimes flatly contradict each other. In the popular imagination, for instance, Nuremberg is remembered as a crimes-against-humanity tribunal, yet this charge was given the shortest shrift by the Allied prosecutors, and defined in what we would now consider a radically truncated if not meaningless form. Moreover, the trials never focused on the war against the Jews—that took the Eichmann trial, fifteen years later. (At Nuremberg, only the Soviet prosecutor called witnesses who testified as Jews *qua* Jews.) And the trials certainly failed in their goal of changing German attitudes toward Hitler, much less leading (or forcing) the Germans to grapple with their guilt. “The Nuremberg trials put the spotlight on the brilliant, foul complexities of the big Nazis’ master plans, but the average German can truthfully state that such remarkable ideas certainly never occurred to him,” Janet Flanner, writing for the *New Yorker*, observed in 1947. “The people feel no responsibility for the war, which they regard as an act of history.” Revisiting Germany in 1954, Rebecca West wrote that the Germans regarded the Allied tribunal—not the deeds it had revealed—as “an ugly focus of infection” that “revolted” them. It was the Nuremberg trials, rather than the Nuremberg Laws, that had proved so troubling.

But regardless of their effects (or lack of) on contemporaneous Germans, the trials changed *us*; Jaspers’s “essential point” was right. Every postwar attempt to break the cycle of war crimes impunity, to establish an international juridical order, to subject tyranny to reason and lies to truth, to figure out what crimes against humanity might be and how to stop them—all operate, consciously or not, in the shadow and the history of Nuremberg. And though the trials were and are endlessly criticized (too limited, too lax, too harsh, too biased), there is something awe-inspiring, and lastingly important too, in the Allies’ hard-won decision to overcome the will to vengeance and replace it with the far less satisfying rule of law. Of course the trials “failed”; among other things, they were addressing crimes for which there is no conceivably just punishment. Yet

that is their least important aspect. Despite their many flaws, I would suggest that the Nuremberg trials represent a good moment for humanity—and precisely at a time when humanity was desperately straining to reassert a recognizably “human” form.

SOME CRITICISMS of the trials—voiced then, and more so now—are true, but odd. Take, for instance, the charge that the trials were a form of victors’ justice. Of course they were. What, or who, was the alternative? There was no critical mass—indeed, no mass at all—of anti-fascist Germans who could, on their own, have formed a government and launched such trials; to believe that the Germans could or would have held themselves accountable is a political fairy tale. But what is often retrospectively overlooked is that the trials were victims’ justice, too. What they were not—and could not be—was perpetrators’ justice.

Ironically, one of the problems with the current United Nations-sponsored courts at The Hague (which is trying crimes committed during the Balkan wars) and in Arusha (where alleged perpetrators of the genocide in Rwanda are on trial) is precisely that they do not represent victors’ justice. The Western powers so eager to assess the atrocities committed by Yugoslavs and Rwandans had been unwilling to stop those atrocities, when it was still probably possible, with their (which means our) soldiers. For this reason, writes legal scholar Diane F. Orentlicher in the recent anthology *War Crimes*, “the victors’ justice of Nuremberg” now “takes on a new cast,” for The Hague tribunal was founded “by states that stunningly failed . . . to arrest the behavior they now claim the authority to judge.” Political theorist Gary Jonathan Bass makes a similar charge in *Stay the Hand of Vengeance*: “For Clinton—and for the American public—legalist words have often been a substitute for real political actions . . . The Hague and Arusha stand largely as testaments to the failure of America and the West.”

This does not mean the current trials are illegitimate or should be disbanded. But there is a vast difference—morally, if nothing else—between the current Hague prosecutors and,

say, Roman Andreyevich Rudenko, the chief Russian prosecutor at Nuremberg, who represented twenty million dead compatriots; Flanner observed Rudenko's "swift heartbeat of anger and anguish. . . made audible to the listening Court, as if his microphone were a sort of stethoscope." And then there were the French jurists, who had survived Nazi prisons and whose "apprehensions had been realized through their own agony," in the words of Rebecca West. No doubt the suffering these prosecutors had experienced, and witnessed, ruled out impartiality in any sense of the word—though again, where would such prosecutors have been found? Today, the opposite problem has emerged: The charges of hypocrisy and selectivity, leveled against The Hague in particular, result from the blunt fact that these trials have not resulted from war—or, rather, have not resulted from wars into which the judges' nations chose to intervene, with their troops, on the ground, and risk death. It is not clear how this quandary—whereby prosecutorial nations are viewed as either too partisan or too distant—can be resolved.

All trials are shows. Trials eschew spontaneity for performed artifice—for rules, for restraint, for clearly marked if not stylized boundaries. This does not mean, however, that all trials—and those at Nuremberg and of Eichmann in particular—are show trials in the nefarious, commonly understood meaning of that term. (Nor does it mean that a trial is merely a contest of competing "narratives," each equally valid, whose purpose is to entertain an audience—and may the best story win!) Nuremberg and Eichmann were not shows—or plays—in the sense of having scripts (that is, verdicts and sentences) written in advance. Three of the twenty-two Nuremberg defendants were acquitted (though not-guilty had no relation to innocence); sentences ranged from ten years in prison to death. Nor, I believe, was the Eichmann decision a foregone conclusion (it took the Israeli judges four months to write their lengthy opinion). Neither trial reneged on what the political theorist Otto Kirchheimer called the element of "irreducible risk"—the unpredictable, unknown verdict—at the center of every real trial. And this is the center that must hold, at least if we hope to speak of

justice. Thus, though there is no doubt that Milosevic is politically and morally guilty, it is far from certain that he is legally culpable—far from certain, that is, that the prosecution can prove, through documents or witnesses, that he is responsible for the specific crimes with which he is charged. Such uncertainty, though infuriating, is apt.

Trials are shows in a less obvious but more fundamental sense, too. Every trial—and especially those whose legitimacy is contested, as is virtually always the case with war crimes trials—is an attempt to demonstrate that the sober rule of law can trump the wild logic of vengeance, and that a society based on laws to which all must adhere is better than one ruled by despots. War crimes trials try to convince us that courts are better than force; that "our" way is better than "theirs"; that violence should not be, can not be and will not be the final adjudicator. Ironically, it is ourselves we are trying to convince, for many of us, I suspect, harbor a skeptic who wonders whether just shooting the bastards might not be the best solution. "In the twilight of Christian charity," wrote the critic Harold Rosenberg in a 1977 essay on Nuremberg, "the true defender of civilization is not the practitioner of universal forbearance but the unswerving, single-minded angel of reprisal."

Which is why, in a weird way, Milosevic is right. In the courtroom at The Hague in which he found himself—probably unexpectedly and surely unhappily—last July, Yugoslavia's former leader was asked whether he wanted the reading of the indictment against him, which ran fifty-four unpleasant pages, to be waived. "That's your problem," he shot back. And it's true. Justice—what it means and how to make it—is "our" problem. Certainly it is not, and never has been, his.

A NARCISSISTIC personality disorder has overtaken the human rights discourse. The arrest of Augusto Pinochet, we are told, signals the end of impunity; the proposed ICC hammers another nail into the coffin of the dastardly nation-state; the moral philanthropy of George Soros, Ted Turner, and Bill Gates bespeaks a noble internationalism; the trials at The Hague herald a new global ethic.

"Justice is a parent of peace," Madeleine Albright confidently declared in Pristina in July 1999. Ours is not yet the best of all possible worlds—but it will be soon.

And a depressive personality disorder has overtaken the human rights discourse. All the above claims, we are told, are self-aggrandizing delusions designed by activists, academics, and politicians in the developed world to make them feel good about themselves (and, not incidentally, secure their jobs). The 1990s were an extraordinarily grim decade—as was the first year of the new century—and to believe that anything has or can or will change is a dangerous form of sentimentality.

In fact the rights-pessimists, as I would call them, are a necessary corrective, and if we err on any side it should probably be theirs. In the *New Republic*, David Rieff charged that the ICC is "hubristic . . . It is as if the advocates of the court have all concluded that history is at an end, or at least that they can interrupt history's tragic march and replace it with international legal norms and . . . moral convictions." Whatever one thinks of tragic marches, Rieff is right to aver that genocide and ethnic cleansing are not legal problems and, therefore, that the solutions to them will be found in no courtroom. Another realist, Michael Ignatieff, writes in the same magazine that the Milosevic trial will "simply establish . . . who did what to whom and when and how," adding, "And when we know, justice will be done."

In this symmetrical formulation, knowledge equals justice. Yet if that were so, a truth commission that offered amnesty, a fact-finding inquiry, even a series of investigative reports by journalists would be justice too. But this isn't really so, for on trial at The Hague will be not just "the truth" but a man whose life, or at least whose liberty, is at stake; the trial is premised on the idea not that bad acts should be exposed, but that those who are guilty of them should be punished. And this is so not because punishment can erase wrongs or vindicate the past, but because punishment enables a wounded collectivity to restore its ethical balance (or at least a portion of that balance) through re-establishing the link between actions and consequences. This basic link is the minimal foundation for any sane future. Still,

Ignatieff is surely right to remind us of the severe limitations of war crimes trials, and to insist that without a truthful knowledge of the past only weary, ugly repetitions are possible.

THE INTERNATIONAL nature of The Hague trials—and of the proposed ICC—is both heartening and discouraging. Heartening because it a step in the direction of a world that is simultaneously more open and more restrained, a world in which nations can and do hold each other accountable for how they treat each other and their own citizens too. Surely this is movement toward what Hannah Arendt, writing in the wake of the concentration camps, called the transformation of our "elemental shame"—shame over the things human beings do to each other—into "adequate political expression."

At the same time, internationalism is in some sense a defeat. It means that the nations in question—the nations where the human rights violations have been perpetrated—are incapable of regenerating themselves, of replacing impunity with responsible judgment, of calling either leaders or so-called "cogs" to account. The Hague is a long way—not just geographically, but politically and historically and psychologically too—from Rwanda, Yugoslavia, Sierra Leone, Cambodia, and East Timor. The Nuremberg trials were imposed on the Germans, but it was fitting, indeed necessary, that they took place *in* Germany, in the "wreckage" of a "ruined" Nuremberg, as Flanner wrote. The Hague (neither wrecked nor ruined) and the proposed ICC are compartmentalized from the crimes they seek to judge; it may be too easy for citizens of the ravaged countries whose leaders (and ordinary compatriots) will be tried there to simply dissociate themselves from the proceedings. There is a vast difference between the rejection of collective guilt and the denial of collective responsibility.

Justice, like rights, must be local—rooted in the organic institutions through which people live their ordinary lives—to be either meaningful or lasting. (Far better for Foday Sankoh to be tried in Freetown than at The Hague.) As human rights abuses, and even genocide, increasingly occur within civil rather

than international wars, the drawbacks of global justice will become more glaring. The world has changed since 1945, when the individual was seen as needing, first and foremost, human rights protection *from* a powerful, tyrannical state; today, it is often where states are failing or imploding that human rights abuses, and the risk of genocide, are greatest.

IT IS AN ODD fact that the post-cold war isolationism of the last decade—exemplified by, though not confined to, the West's aversion to action in Yugoslavia and Rwanda—was preceded by the saccharine internationalism of the 1980s, the “we-are-the-world” era of the anti-famine and anti-apartheid campaigns. This internationalism was predicated on the idea that we are connected to others because we are essentially the same as they—which is at root a negation of human diversity. (Oddly, this very negation is precisely what underlies genocide.) Like all false ideas, this one could not survive in the real world, and once it bumped into political situations more complex than the outright racism of apartheid and the moral outrage of famine, it crumbled into “compassion fatigue,” irritation, even disgust. Alain Finkielkraut scathingly summed up this worldview in his book on the Klaus Barbie trial, *Remembering in Vain*:

The lesson of this century has not been heard: we continue to consider life in unison as the very apotheosis of being. Great legal proceedings carried out in planetary concert—this is the enchanted picture of universal sympathy that we hold up. . . . We are all brothers, next-of-kin, buddies; we are all uplifted by the same feelings, our bodies move to the same rhythm. . . . We sing, by the glimmer of cigarette lighters, the same hymn of hope and love across the entire face of the earth.

Against this “beatific smile of fraternity,” Finkielkraut upheld a common humanity predicated not on sameness but on mutuality; against the dream of unanimity, he upheld the value of conflict; against moralism (as opposed to morality), he upheld the necessity of politics. And against the wobbly brotherhood of feelings, we might posit the brotherhood of fact, which is dependent not on liking others but on the far less cozy—indeed somewhat ter-

rifying—recognition that we share the world and the project of making it with them. In this light, what Arendt—responding to criticisms of *Eichmann in Jerusalem*—said about her relationship to the Jews might be what all of us must say about our relationship to the human race: “I do not ‘love’ the Jews, nor do I ‘believe’ in them; I merely belong to them as a matter of course, beyond dispute or argument.”

IT IS POSSIBLE, and perhaps necessary, to chart a path between the smug grandiosity of the human rights triumphalists and the insistently bleak minimalism of the realists. Choices must be made, but not every choice is an either-or. (The world is big, there are many nations in it, people differ from each other, and history is long.) International trials, for instance, don't necessarily rule out local ones. Ethical values don't rule out politics. Optimism doesn't rule out clarity—nor is pessimism always synonymous with intelligence. Many things never change, but some things sometimes do. The imperfections, disappointments, inconsistencies, and even hypocrisies of trials don't mean that justice is simply a mirage. It is true, as Jaspers observed, that “the sun shines alike upon the just and the unjust”; nevertheless, he went on to say, “it would be an equally false total judgment to say. . . that there is no justice.” It is childish—an infantile disorder, some might even suggest—to insist that anything short of infinite justice couldn't possibly be justice at all.

Some good things have happened at The Hague. Last February, a Zambian judge, Florence Mumba, convicted three Bosnian Serbs of rape and sexual enslavement. “In time of peace as much as in time of war,” the judge correctly noted, “men of substance do not abuse women.” Mumba's condemnation—indeed, Mumba herself—would have been impossible in 1946, for at Nuremberg there were no African judges, nor any women, nor a consideration of rape as a crime against humanity. History marches in many directions, not all tragic. Far more often, it stumbles and crawls—though not always or inevitably toward the wrong destinations. Can I write this after September 11? I do.

Still, it would be wise to approach think-

ing about war crimes trials with more than a touch of humility. For the simple fact is that all justice comes too late. War crimes tribunals are what we construct "after": after the atrocity, the depravity, the cruelty, the grievous wounds that can never be healed or closed or forgotten or undone. War crimes trials are not glorious; even when they succeed, they are always a mark of the grotesque failures that have preceded them—the failure to act, in

Finkelkraut's formulation, as the "guardians" of humanity. That kind of failure can't be forgiven, and the betrayal it represents is always "ours" and never simply "theirs." So though we need a world with more justice, we need, too, a world in which less justice is needed. ●

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Travelogues of War

Laura Secor

**THE FRACTURE ZONE:
MY RETURN TO THE BALKANS**
by Simon Winchester
HarperCollins, 1999 272 pp \$13

THE ROAD TO KOSOVO: A BALKAN DIARY
by Greg Campbell
Westview, 1999 228 pp \$15

**ONLY THE NAILS REMAIN:
SCENES FROM THE BALKAN WARS**
by Christopher Merrill
Rowman & Littlefield, 1999 424 pp \$27.25

MY WAR GONE BY, I MISS IT SO
by Anthony Loyd
Penguin, 1999 336 pp \$14

AT THE BEGINNING of the twentieth century, as the Ottoman Empire collapsed and the Balkan wars rumbled to a close, a new field opened to the West European imagination: the Balkan peninsula of southeastern Europe, a terra incognita on Europe's periphery yet touched by the Ottoman Orient. As Vesna Goldsworthy recounts in *Inventing Ruritania: The Imperialism of the Imagination*, in that period there was an explosion of novels, poetry, and travelogues set in these little known territories—lands presumed to be primitive, mysterious, and invested with supernatural peril. Most famously, Bram Stoker, an Irish novelist who had never traveled in the Balkans, set *Dracula* in a Transylvania he described as an “imaginative whirlpool” into which was gathered “every known superstition in the world.” The Balkans, it seems, had become the dark mirror in which Westerners saw themselves without seeing themselves, as

though human violence, irrationality, and sensuality could be ensconced safely in those distant mountain passes. Perhaps such impulses—seductive, universal, frightening—could be contained, even safely visited from time to time and then gratefully left behind.

How quaintly turn-of-the-century British, we might now think. But the wars of the Yugoslav succession brought a resurgence of adventurers' tales from the same region, with sometimes similar overtones. Starting with Robert Kaplan, whose 1989 *Balkan Ghosts* famously defined the Balkans as “a time-capsule world: a dim stage upon which people raged, spilled blood, experienced visions and ecstasies,” a seemingly endless parade of Western journalists has reproduced the stereotypes and historical clichés that so marked Western journalism about the Balkans at the turn of the last century. It is no accident that in tandem with this outpouring, in the last five years we have also seen a burgeoning scholarly literature chronicling the role of Western projections in shaping the perception, and self-perception, of Balkan cultures—most notably, Maria Todorova's magisterial *Imagining the Balkans*.

That said, real wars have just been fought on the territory of the former Yugoslavia, and many of those who chronicled those wars were real journalists whose aim was not to belittle the Balkans but to expose and explain that tragedy to a mass readership. Journalists' work is never perfect and certainly never beyond academic reproach; what we do, compared to the work of scholars, is hasty and superficial, but no less necessary. Many journalists and photographers died in Bosnia; others risked their lives, but survived. And although journalists are favored targets for academics because we frequently seem so unaware of our cultural biases and baggage, the work we produce—whatever its faults—is important precisely because it is history's “first draft,” a rough outline in

need of later revision, embellishment, context, detail. Never is this description more apt than in war. During and following the Bosnian War, journalists, including Tim Judah, Laura Silber, and Allen Little, wrote dense histories on short order. Others produced that crucial first generation of Bosnian war reportage—the meaty, passionate, blow-by-blow chronicles through which foreign correspondents such as Peter Maass, David Rohde, and Misha Glenny awakened the world to an unfolding horror. Unlike Kaplan before them, the war correspondents had no need of recourse to melodrama; unlike Stoker, they told not ghost stories but the depressing details of actual mass murder.

Without those journalists, would the details of the Bosnian War be known? It is narcissism to think otherwise. The Bosnian War was a lived experience for many people who did not choose it—among them, local journalists, writers, intellectuals, and activists—all of whom were perfectly capable of bearing witness to their own tragedy. But there can be no question that the presence, persistence, and per-

sonal investment of that small army of reporters from the English-speaking world raised international consciousness to a level otherwise unattainable. Compare public awareness of events in Bosnia to that of the Rwandan genocide, for instance, to which few Western journalists devoted their careers. And in a civil war, the outside reporter has mobility and access that often elude local journalists, who work at much graver personal risk.

And yet, the mushrooming of both popular histories and war reportage from the Balkans in recent years bespeaks something more than a sober effort to chronicle events. A keyword search on Amazon.com under “Bosnia” turns up 694 titles; “Kosovo” garners 264. By the end of the 1990s, Yugoslavia’s war had become something of a voyeuristic American commodity; the reporter’s account of besieged Sarajevo formed a genre unto itself. The four books under review all deal to some extent in that stock-in-trade, although all were published in 1999, either during or directly following the Kosovo crisis. It’s an era that feels suddenly

“... democratize the sublime...”

—Irving Howe, *The American Newness*

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alarmingly distant: at a time when the West was not only largely at peace but regarded that peace as the progress of civilization, the Balkans represented much more than a backwater of superstition in the Western mind. Rather, the region was often viewed as a preserve where savage wars were still fought, and where even Westerners could still experience mortal fear.

THESE WERE always self-regarding illusions, but the fact that they are ought to be clearer now. I was rereading Anthony Loyd's book on the morning of September 11, contemplating the voyeurism that had compelled Loyd to write it and me to read it. In an instant, my relationship to Loyd's book, and to a region that had captured my thoughts and imagination for several years, dramatically ruptured. With what naïveté had I made my trips to Belgrade, Kosovo, and Macedonia, marveling at the resilience and sacrifice I saw in many of the people who had remained politically active and resolute through terrible times? How much more complicated the relationship between you and the world becomes when it's your own city burning, your own flag waving, your own life upended by historic events. Suddenly it is not so clear where one draws the line between courage and recklessness, persistence and fatalism, pacifism and passivity, war and revenge. I think that before this new war is over, we will look back on our Balkanism, as the scholars call it, with nostalgia and wonder: Could we really have been so arrogant and innocent? Could we have assumed ourselves so removed and immune?

I suspect that Americans of my generation will no longer travel to combat zones with the same sense of moral and physical invincibility. Ours was the beneficent paternalism of a coddled global elite. We deliberately stepped outside of our comfort zone, whether as a lark or as a vocation, knowing always that we could step back; assuming, often, that ours was just the steady hand needed to untie the tangled threads of conflicts among peoples too implicated to do so themselves. We passed through blighted landscapes as emissaries, whether we chose to be or not, from the seat of global power, a country in possession of much of the

world's resources. And what did we see when we looked at the Balkans? Why were we there? Those are the questions I began this essay hoping to explore. September 11 rendered them, perhaps, questions for history.

READING THESE four travel books about the late 1990s Balkans, I was struck by the unevenness of their quality and of their authors' insights. Rapidly, the same author would reel from riveting, empathic reportage to cringe-worthy cliché. And it struck me that as travelers, we constantly navigate between two forms of perception; as writers, we have a difficult but crucial duty to distinguish between them. One is simple sensory perception: What do we as travelers see? Whom do we meet, and how do those people define their own motivations and circumstances? The other is the fog of preconceptions that rushes in to fill the void whenever we step back from the scene before us—when we cease to talk to people, when we attempt to draw conclusions from landscapes alone, when we suffuse those landscapes with our own fantasies and fears.

The authors of the four books under review are all travel writers, but of very distinct types. Simon Winchester is a self-described "writer and adventurer" who aspires to build on Kaplan's work, recounting a grand romantic narrative about a savage and miserable peninsula on Europe's periphery. Greg Campbell is a twenty-something, small-town journalist from Colorado who seeks to uncover the failures of the 1995 Dayton agreement that ended the Bosnian War. Christopher Merrill is a poet questing for the meaning of art through a journey into the lives of poets, writers, and artists in embattled lands. As for Anthony Loyd, he is something else entirely. He is a war correspondent, but only because he happened to be on the scene. He is a heroin addict, a "war tourist," a voyeur who went to Bosnia ostensibly to "see a war," but just as likely, to tempt fate.

Among these adventurers, only Merrill takes the time to delve into the former Yugoslavia's history, literature, and culture, reading not just the work of other journalists but also that of historians, novelists, and poets. Only Loyd learns the local language. And so, like many that have come before them,

these books, with the exception of Loyd's, contain a fair amount of misinformation. Campbell, who has an embarrassing habit of misspelling place names and getting historical details backward, self-assuredly writes, "In 880, Rome dispatched the nomadic priests Cyril and Methodius to complete the conversion of the western Slavs—the Croats—to Catholicism." In fact, Cyril and Methodius were Greek Orthodox monks from Salonika who brought Orthodoxy to the eastern Slavs. Winchester, for no apparent reason, credits the Serbs with spreading Marxism throughout the Balkans. Even Merrill, who is generally meticulous, revives the long-discredited myth that the Bosnian Serbs started World War I—and adds to that an entirely new and indefensible one, that Serbia started both Balkan wars.

Winchester, Campbell, and Merrill were all writing at a time when access to Serbia was highly restricted. Visas were not the only problem: the late 1990s also marked a high tide of anti-western sentiment in Serbia, which made it very difficult for Western journalists to work there. When Merrill manages to go to Belgrade, it is an aborted and unpleasant trip. And so, in a book that invokes Serbian villainy on nearly every page, and that devotes nearly a hundred pages to Slovenia, Serbia gets a mere thirty pages—not much more than tiny Montenegro. Campbell and Winchester are not even that lucky: neither obtains a visa. So perhaps it should be no surprise that the lion's share of the misinformation and stereotyping in these books pertains to Serbs.

The worst offender in this regard is Winchester. The only Serbs he encounters are one friendly farmer in the Croatian countryside and a number of angry, retreating soldiers as the NATO-led KFOR peacekeeping forces enter Kosovo. Wisely, Winchester does not stop the Serbian army for an interview, so it is without any empirical evidence that he offers sweeping explanations for Serbian motives: "The Serbs here in Kosovo were getting back at the Albanians, as they saw it, for what the Turks had done to them," writes Winchester. Even more egregiously, he presumes to know the hearts of all Serbs: The 1389 Battle of Kosovo, he writes, is "a defeat every Serb remembered still, and vowed to avenge."

It's unfortunate to find such ungrounded generalities in the best portion of Winchester's book. Winchester actually follows KFOR into Kosovo, making him one of the first journalists to set foot in the ravaged province after the war and one of the few to witness the state in which it was left. Like his reporting from post-war Sarajevo, his depiction of these scenes is riveting and vivid. Unfortunately, when Winchester departs from the literal scene before him, he seems to wrench the geographical Balkans from the map. Instead, we find them in the nightmare realm of spooky fairy tales. The Balkans are "a place of mystery, paradox, and wild confusion" where "the wild and refractory peoples of the Balkans" persist in "strange and feral Balkan circumstances." From the beginning of his investigation into "the savage mysteries of this wretched peninsula," Winchester cautions the reader that the glossary he appends may be inadequate, because "it is difficult to keep strictly objective any Balkan word list—since it includes, as do most Balkan stories, many monstrous people and their deeds."

CAMPBELL RUNS into similar difficulties when he waxes romantic about the Montenegrins: "If the ancient Balkan hostilities apply to anyone in former Yugoslavia, it's the Montenegrins," Campbell avers, having spoken to exactly one of them. "Because they live in this stark setting, an eternally unconquered people. . . . Like the pastures and the wild flowers, Montenegrins burn with the full intensity of what they are." Mercifully, however, unlike *The Fracture Zone*, *The Road to Kosovo* does not attempt to reduce the Balkan wars to hoary myths about national character. Rather, Campbell matter-of-factly chalks Bosnia up to "demagogic leaders who used these valid [interethnic] strifes and tensions to spark a war that had far less to do with long-sought revenge than it did with maintaining and consolidating political power."

The conceit of Campbell's book is the story of his literal road trip from Zagreb, through Bosnia, to Montenegro, and finally to Kosovo. He writes at a time when Kosovo is locked down under a martial law that looks more like apartheid, when the Kosovo Liberation Army (KLA) is ascendant, and when the Serbian po-

lice exercise little, if any, restraint. Campbell spends significant time with young Albanians—the “KLA reserve,” as they call themselves—and it is with courage and empathy that he bears witness to life in Kosovo under the Serbian boot. Unfortunately, he makes another embarrassing mistake as he does so, protecting his Albanian host with a pseudonym, Josip, which happens to be typically Slavic.

Campbell is no tough guy: rather, he wends his way through post-Dayton Bosnia on his way to Kosovo with a slightly hysterical fixation on lurking menace. Nonetheless, he makes a decent case for the fragility and ineffectiveness of Dayton on the ground. Refugee return is a fiction; the populations remain divided and mutually hostile; the troops of the international stabilization force known as SFOR are not really empowered to enforce the terms of the peace, and they are actively forbidden to pursue war criminals. As a result, Campbell warns, Bosnia is not at peace so much as it has been frozen in a state of war.

Campbell's account of his road trip has an endearingly amateurish quality—not least because of the author's penchant for mixed metaphors and overwrought prose. About Zagreb's most famous hotel, Campbell writes, “My memories of the Esplanade as a surreal haven are preserved within its walls, mixed into the common psychic batter that every guest has contributed to, a palpable *déjà vu* given as a gift by the phantoms of history crowding the halls and ballrooms.” And yet, despite or perhaps because of his verbal clumsiness and frequent bungling of factual details, Campbell has a knack for rendering his experiences with a raw immediacy that more accomplished stylists often miss. His depiction of a lonely Croatian-run hotel with bullet-scarred walls, and of his aborted stay in Pale, the Bosnian Serb town from which he flees in a fit of paranoia, are remarkably memorable.

WHAT ARE THE Balkans? Where do they begin? These are questions whose answers lie in politics and myth, not geography, as Maria Todorova has demonstrated.

For Kaplan, and thus for Winchester, the Balkans begin at the Austrian border. Is Hun-

gary Balkan? It depends whom you ask. The one certain Balkan nation is Bulgaria, for whose Balkan mountain range the peninsula was named. Otherwise, we have Romania, Albania, Greece, the countries of the former Yugoslavia, and arguably Turkey. Todorova notes that although Yugoslavs long rejected the Balkan label, today they embrace it as though Yugoslavia made up the whole of the Balkans. So too have western journalists leapt to that assumption—not, presumably, for its geographic validity, but because of the term's raft of suggestive connotations. Christopher Merrill sets the border between Central Europe and the Balkans as far south as Belgrade; in fact, he has it running right through a park in the center of the Serbian capital.

That said, there is no fair comparison between Merrill's work and that of Kaplan and Winchester. Merrill's meditative and lyrical *Only the Nails Remain* is a book above all about individuals. Because Merrill is a poet, most of those individuals are poets, writers, or painters; but I suspect he could just as easily have written a powerful book about janitors throughout the ex-Yugoslav republics during the Bosnian War. That is not only because Merrill has a knack for crystalline prose and stark vignettes, nor simply because he is well and widely read and takes painstaking care with both historical and observational details. Even more significant to Merrill's project is its specificity, which allows both the author and his reader to connect to the individual's experience in wartime—not only the physical misery, which we know well from earlier accounts, but the difficult business of maintaining one's sanity through times that are anything but sane. For Merrill's friends in Bosnia, however, sanity alone is not enough. They also feel responsible to help alleviate the agony of others. Most poets are not especially effective nurses to the wounded, but they can certainly minister to fractured souls, administering small doses of beauty and humanity to those who suffer in their absence. On Merrill's third trip to besieged Sarajevo, he is expected to teach a poetry class. Losing his nerve at the last moment, he asks a relief-worker friend what purpose he might serve by teaching poetry amid the ruins. “Get real,” said my friend. “What else can you

do?" But perhaps the best justification for poetry in wartime—and for Merrill's quest itself—comes from the poet Charles Simic, whom Merrill quotes: "Sooner or later our tribe always comes to ask us to agree to murder." In the face of that request, lyric poets "perpetuate the oldest values on earth. They assert the individual's experience against that of the tribe." It is thus especially unfortunate that Merrill did not find, in Serbia, the same caliber of contacts that he did in Slovenia and Bosnia. Because in Serbia, too, those people existed: the individual artists, writers, and intellectuals who faced down their "tribe" in its darkest moment. Their absence from *Only the Nails Remain* is the book's most serious flaw.

What brought a writer as sensitive as Merrill to a combat zone? So far as I can tell, the answer is poetry: Merrill wants to see it perform miracles. It's a futile hope—but not without its moments, as when a Sarajevan tells Merrill that the following lines from a Hölderlin poem saved his life: "Where danger lies, salvation also grows." But it is also in Merrill's book that we find this dark explanation for the work of many humanitarians and journalists. Says a psychiatric nurse in Sarajevo: "Some humanitarians had altruistic motives,

just as some journalists were devoted to the truth, but others came in search of a level of chaos corresponding to what was going on in their minds. A safe, peaceful life led them to such anxiety that only in dangerous situations did they feel calm."

A BETTER DESCRIPTION of Anthony Loyd could hardly be written. Having failed to witness combat as a soldier, Loyd makes for Bosnia with the barest credentials as a photojournalist, hoping for nothing else except to experience a war. He presumes his own motivation to be nearly universal: "Men and women who venture to someone else's war through choice do so in a variety of guises. UN general, BBC correspondent, aid worker, mercenary; in the final analysis they all want the same thing, a hit off the action, a walk on the dark side." For Loyd, there is no shame in this admission. If anything, it emboldens him to abandon what he sees as the relative safety of besieged Sarajevo for the volatile front lines of central Bosnia. There, the Muslim-Croat war rages. One wishes Loyd were a lesser writer. Perhaps then the violence he describes would be vested with less immediacy, less power.

Loyd does not venture to Bosnia—he ven-

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tures to war. He does not labor under the illusion, for even a minute, that he has gone to a distant land to observe the horrifying (or heroic) behavior of a savage (or ennobled) "other." He knows he is there to explore the darkest reaches of his own psyche. As a result, he is little inclined to rationalize, let alone to make the place the proxy for the experience he chases there. He has come to see mutilated corpses, to look into the eyes of killers, to imagine himself in their shoes. "I believe any man, given the right pressures, could kill an innocent in cold blood," writes Loyd. He meets actual warlords and describes them as warlords; he does not saddle civilians or shrubbery with

soldiers' baggage. For that, one is inclined to believe every word Loyd writes—as long as it is not about morality or his father.

Loyd's moral pronouncements are nearly always self-serving. "I cannot understand the few journalists I have met who insist that, if confronted by casualties, their job is merely to film, photograph, or report without giving aid," he writes, just before he details the only occasion in this book where he himself does otherwise. "It was not a question of courage," he repeatedly demurs, whenever he wishes to invite our admiration. And nothing illustrates so plainly the inquietude of Loyd's mind as his strange, disjointed narration of his relationship with his father. From the lucid, sinewy prose of his war reporting, Loyd lapses into the inarticulate sputtering of adolescent rage—a rage blind both to itself and to its object. It is fascinating to read.

My War Gone By, I Miss It So is a sick and sickening book. But its honesty also makes it perversely compelling. And unlike Winchester, who promises far more in the way of overarching wisdom than he actually delivers, Loyd delivers more than he promises. But that, in the end, is more than even Loyd can bear. A stint in Chechnya tops off Loyd's appetite for violence. Or does it top off what little appetite he ever had for peace? He becomes a heroin addict in peacetime, clean only in war. He is dead among the living, alive among the dead. Somehow, he has managed simultaneously to obliterate himself while yet proving that he is capable of surviving absolutely anything. Read this book. It is chilling. And Anthony Loyd is still out there. Not in the Balkans, but in that other place—the one that he, and so many of his vastly dissimilar fellow travel writers, were actually looking for. ●

LAURA SECOR is a New York-based writer. Her work has appeared in *Lingua Franca*, the *New York Times*, and the *Nation*.

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Thinking About Human Rights Interventionism

Jeffrey C. Isaac

**A NEW GENERATION DRAWS THE LINE:
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OF THE WEST**

by Noam Chomsky
Verso, 2000 145 pp \$23

**POWERLESS BY DESIGN: THE AGE OF THE
INTERNATIONAL COMMUNITY**

by Michel Feher
Duke University Press, 2000
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ON MARCH 24, 1999, the North Atlantic Treaty Organization undertook the first war in its history. For seventy-eight days, its military forces—led by the United States—bombed Serbia and Serbian forces in Kosovo to put an end to Slobodan Milosevic's brutal reign of terror in that province, to force the withdrawal of Serb troops from Kosovo, and to restore Kosovo's autonomy within the Yugoslavian Federation. The war was unprecedented, the first time that a major military campaign was undertaken against a sovereign state in order to stop crimes against humanity within the territory of that state. NATO leaders—Tony Blair, Madeleine Albright, and Bill Clinton himself—extolled the virtues of this unprecedented intervention. Blair—in a speech that furnishes the title of Noam Chomsky's book—declared that “the new generation draws the line” in defense of human rights. At the same time, the war generated sharp disagreements within the Western left—as did the Gulf War—between those who supported it as a form of opposition to a brutal dictatorship and defense of human rights and those who opposed it as another instance of American arrogance and imperialism.

For the latter group, the writings of Noam Chomsky served as a touchstone. In *A New Generation Draws the Line*, as in his 1999 *The New Military Humanism*, Chomsky offers a strident critique of the Kosovo War and of the idea of human rights interventionism that served as its principal rationale. The book's basic purpose is to repudiate the idea that Kosovo signified the dawning of a new era of human rights. The launching point of Chomsky's critique is the self-serving rhetoric of Clinton, Blair, & Co. Chomsky effectively demonstrates that this rhetoric was overblown and that its proponents cannot be seen as the consistent and virtuous partisans of human rights they claimed to be. In the book's first chapter, Chomsky makes this point by invoking the examples of Turkey, Colombia, Israel, and other places where the United States and NATO have not pursued a policy of human rights interventionism but have been complacent about or even supportive of human rights abuse. In the book's second and driving chapter, he makes the point with reference to East Timor, where for more than thirty years the U.S.-supported Indonesian government occupied East Timor and brutalized and destroyed the East Timorese people. And in the book's third and final chapter he makes the point in connection with the Kosovo War itself. Chomsky argues that no aspect of NATO policy—the botched diplomacy at Rambouillet, the “virtual war” of aerial bombardment, the precipitation of hundreds of thousands of Kosovar refugees, and the civilian casualties in Kosovo and Serbia itself—can be seen as the simple expression of noble and liberatory intentions, and that in many ways the war was prosecuted in a morally callous way, as one would expect of a war motivated by considerations of power. As most readers of *Dissent* will recognize, in making these arguments, Chomsky reiterates the same critique of U.S.

foreign policy that he has made ever since the Vietnam War. The names may change, but the story remains the same—a tale of official U.S. arrogance and hypocrisy pure and simple. Chomsky is at his best when detailing the inconsistencies of American public officials. For him, all discussion serves this ultimate purpose. The Indonesian brutality in East Timor and Turkey's oppression of the Kurds are thus at the heart of Chomsky's treatment of Kosovo, because what interests Chomsky is neither Kosovo nor human rights but the sincerity of the official U.S. frame, and these examples demonstrate that this frame is not applied consistently and sincerely. In the same manner, Chomsky cites authors with whom he clearly disagrees about other important matters—Samuel P. Huntington on the perils of a Wilsonian foreign policy, Alexandr Solzhenitsyn on Western arrogance toward the Slavs, right-wing Israelis on how Serbia should no more be punished for its treatment of Kosovars than Israel should be punished for its displacement of Palestinians in 1948—because these authors make the only point that matters in his book: that American officials are insincere.

CHOMSKY'S BOOK is not really about Kosovo, the Milosevic regime's policies of ethnic cleansing, or the difficult ethical and practical questions regarding how to stop these policies that confronted concerned citizens, human rights activists, and policy makers in the spring of 1999. It is about the hypocrisy of the United States and the "West" more generally. Occasionally Chomsky must admit that the "official story" of U.S. foreign policy does not exhaust contemporary history and that real issues are at stake here. He notes in passing, for example, the principle—associated with the Clinton administration, but also with UN Secretary-General Kofi Annan, and indeed with many human rights advocates—that "sovereignty may now be disregarded in the interest of defending human rights," and observes that "the proclaimed principle has merit, or would, if it were upheld in a way that honest people could take seriously." But he never seriously considers the principle, or what being serious about it might entail, or the range of those who may subscribe to it.

If Chomsky's conclusions about Kosovo itself—as distinct from the rhetoric of Clinton or Blair—are typically tendentious, at times they are positively grotesque. Thus, in the context of disputing official U.S. assertions regarding the timing of the NATO intervention, and of questioning whether the displacement of hundreds of thousands of Kosovars was a cause or a consequence of the NATO bombing campaign, Chomsky avers "That Milosevic had plans 'of truly evil proportions' for Kosovo has scarcely been in doubt. . . . It is also hardly in doubt that in March 1999, under constant and highly credible threats of bombing and invasion by the reigning superpower and the military alliance it dominates, Serbian military forces were preparing to carry out such plans in Kosovo. But it is a long step from the existence of plans and preparation to the conclusion that the plans will be implemented unless the planner is subjected to military attack."

This is a remarkably bizarre claim for a number of reasons: (1) because the "evil" of Milosevic's plans had very much been called into doubt by critics of the war, including Chomsky, who devoted all of their attention to challenging official NATO rationales and none to analyzing the history and record of the Milosevic regime, and who maintained that Milosevic was really beside the point, the point being American imperialism; (2) because it absolves the Milosevic regime of all responsibility for a brutal and perhaps genocidal policy to describe this as merely a "strategic plan" prepared in response to the "credible threats" of a "reigning superpower," that is, the United States; (3) because in fact Milosevic had already demonstrated his willingness to implement such "evil" plans, in Bosnia in the early 1990s and in Kosovo in 1998, where it is beyond dispute that villages were razed and hundreds of thousands of Kosovars were driven from their homes at the point of a gun; and, finally, (4) because the "conclusion" that Milosevic might imminently undertake another round of "ethnic cleansing" was not, as Chomsky implies, a foolish bit of deductive logic but a political judgment made on the basis of a great deal of historical evidence. In this instance—by no means the only one—Chomsky, through his rhetoric and his use of

innuendo, pursues two goals: to absolve himself of any implication that he is an apologist for Milosevic (whose evil supposedly “has scarcely been in doubt”), and to provide an exculpation for Milosevic, who is presented as merely an unfortunate and hapless leader of a small country, in possession of “strategic plans” [for national defense?], who is attacked by an arbitrary and overbearing imperial power that could have and should have done otherwise (for it is supposedly “a long step” to the conclusion that Milosevic might do evil). On Chomsky’s view it is NATO, with its bombing, that caused the horrors of the Kosovo War that it was supposedly seeking to prevent. Milosevic, it would seem, had little choice but to set his “plans” in motion once the bombs fell.

Chomsky is a brilliant linguist and a crafty logician. But, as Thomas Paine once said of Edmund Burke, nature has been kinder to him than he is to nature. Chomsky’s text is too clever, and thus it is not serious. For it is satisfied to mock politicians for their moralizing rather than to comment on the real problems of human rights and global politics.

MICHEL FEHER’S *Powerless By Design* is everything that Chomsky’s book is not. It is a critique of U.S. policy that is also a serious discussion of the Kosovo War. But, most important, it is a critique of the Chomskyan, “anti-imperialist” position adopted by large segments of the left. Feher’s argument centers around the following irony: in the early 1990s the United States and NATO turned a blind eye to “ethnic cleansing” in Bosnia and Rwanda, claiming that such murderousness was deeply rooted in ethnic grievances and thus beyond political intervention; and the left, rightly, denounced this policy for its callousness. Then, later in the decade when, for complicated reasons, the United States and NATO abandoned this rhetoric in favor of the rhetoric of universal human rights and human rights interventionism and decided in fact to intervene against human rights abuses in Kosovo, the left did a volte-face and denounced intervention as imperialist. Feher is highly critical of the Clinton administration—and its liberal supporters—for the opportunism of its shift. But he is even more critical of its antiwar crit-

ics, who seemed unable to appreciate the significance of this shift, whatever its motives, and who simply could not bring themselves to take seriously the brutality of the Milosevic regime and the need to use force to oppose this regime’s aggression. Feher offers a careful critique of these critics, focusing much of his attention on the war coverage in the *Nation* (he rightly exempts Christopher Hitchens and Ian Williams). He points out how the “anti-imperialist” left was drawn to a peculiar and weak combination of legalistic, pacifist, and isolationist arguments against intervention, and how these opponents of the war offered no real account of the atrocities taking place in the Balkans and of what might be justifiable to end these atrocities. What held these opponents together was their consistent opposition to U.S. foreign policy even as it was shifting and their lack of seriousness about the world or the changes taking place in it.

Feher offers a sharp critique of the rhetorical strategies of “powerlessness” articulated by liberals and the antiwar left. He weaves together critical exegesis with discussion of Kosovo, diplomacy, and the war itself. His book is a superb example of judicious and serious political argument. My one quibble with his account is that in counterposing Clinton-Blair liberalism and the anti-imperialist left, he does not consider the admittedly marginal space of the democratic left, including *Dissent*, where a more nuanced position, less liable to the reversals of both Clinton and his antiwar opponents, could be found.

Beyond his illuminating discussion of Kosovo, Feher draws two interesting broader political conclusions. One is that both liberals and the antiwar left need to rethink their positions. Although he supports liberal seriousness about human rights and global politics, he raises important questions about whether liberals are too complacent about globalization. And although he chastises the lack of seriousness of the antiwar left about global politics, he applauds the critical approach to capitalist globalization articulated by many of these activists. The problem of developing a serious position on global politics and economics, Feher argues, remains before us and demands our attention.

Second, Feher argues that those on the left

need to rethink their relationship to the state. The Chomskyan critique holds the state to an impossibly high standard. Perhaps the left should abandon the idea that particular state policies should be supported only when they are “sincere” or “noble” or fully consistent with humane values or a “progressive” agenda (whatever that might be). Perhaps, instead, we must approach policy in a more pragmatic and instrumental way, supporting policies—such as the Kosovo War—when they seem on balance to have beneficial effects, in spite of the limitations of the governments that pursue these policies for their own reasons. Feher argues that we should “do away with the idea that the ultimate goal of political activism consists of being governed by the authentic representatives of one’s own values and ideals.” States, in other words, even under the influence of the best governments, are interested in power. To imagine otherwise is foolish and naïve. The job of a serious left, he suggests, is to promote its values and to seek to influence politics, without imagining that it is possible to fully subject politics to these values. “It is only by recognizing that governments are not meant to represent them that nongovernmental activists will be able to give precedence to the prevention of what they deem intolerable over their stake in either redeeming or condemning the agencies that have the power to prevent it.”

This is a brilliant point, and also a correct one. Its many ramifications are beyond the scope of this review. But it is worth mentioning that this idea offers a fine way to understand the Kosovo War and why it was worth supporting. Like all wars, it was bloody and destructive. Like all wars, it was prosecuted by states that had their own economic and strategic interests. The war, for complex reasons, came to be defended in terms of human rights. And this defense, although hypocritically trumpeted by public officials, was plausible. The war was fought to restrain an oppressive regime that was a severe human rights abuser. It succeeded in removing Serbian troops; restoring the autonomy of Kosovo; establishing a policy of reconstruction and liberalization; and helping to weaken, and eventually to undermine, the Milosevic regime. These are all worthwhile results, eminently supportable by people serious

about human rights, even if these results were secured by governments that did not have human rights as their primary concern. Furthermore, the war strengthened a growing global discourse and practice of human rights, helping to legitimate human rights activism and human rights conventions; and it fueled a belated, but still significant, peacekeeping intervention in East Timor. These consequences of the war, on balance, were good, in spite of the fact that the states and alliances that secured them were not an unambiguous agency of good.

IF THIS WAY OF thinking is supremely relevant to thinking about human rights interventionism, it is even more relevant in the wake of the September 11 al Qaeda attacks. The U.S. government responded to these terrorist attacks in the way any state, especially one that is democratically accountable, would respond—by striking back at the terror network and the state (Afghanistan) that has long harbored this network. The response of the antiwar left to this military policy of national defense has been to reiterate the exact same set of legalistic, pacifist, and isolationist arguments made during the Kosovo War. Fixated on the historic culpabilities of U.S. policy and on the hypocrisies and dirty hands of the current regime, antiwar activists have sim-

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ply refused to come to terms with the seriousness of the attack, the depth of the fear and outrage experienced by their fellow citizens, and the evil of the terrorist fanatics who planned and perpetrated the attack. Their protests are a call for abstention at a time in which liberal democracy has been attacked by what Christopher Hitchens has rightly called "crypto-fascist" fundamentalist forces. One would be hard-pressed to imagine a position better suited to reproducing irrelevance, marginality, and powerlessness.

The position is so politically tone-deaf that it is hard to avoid the conclusion that it seeks a powerlessness by design. For the proponents of this view, Feher's book is a powerful antidote. One can only hope that it receives the attention it deserves, and not a moment too soon. ●

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